



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

### Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

### About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>



HOSTILITIES  
WITHOUT  
DECLARATION OF WAR

Internat.

750

M454

# MILITARY BOOKS.

Published by



Authority.

*Printed under the Superintendence of Her Majesty's Stationery Office,*

AND SOLD BY

W. CLOWES & SONS, Limited, 13, Charing Cross; HARRISON & SONS, 59, Pall Mall;  
W. H. ALLEN & Co., 13, Waterloo Place; W. MITCHELL, 39, Charing Cross;  
LONGMANS & Co., Paternoster Row; TRÜBNER & Co., 57 & 59, Ludgate Hill;  
STANFORD, Charing Cross; and KEGAN PAUL, TRENCH & Co., 1, Paternoster Sq.;

*Also by*

GRIFFIN & Co., The Hard, Portsea;

A. & C. BLACK, Edinburgh;

ALEX. THOM & Co., Abbey Street, and E. PONSONBY, Grafton Street, Dublin.

**PAY, PROMOTION, AND NON-EFFECTIVE PAY OF THE ARMY:** Royal Warrant for. Parts I. and II. Pay and Non-effective Pay. Dated 11th March, 1882, to take effect from the 1st July, 1881. Vol. 1.) *Octavo Edition.* Price, in paper, 2s.; in cloth, 3s. *Pocket Edition.* Price 1s. 6d.

**ALLOWANCES, ARMY,** Regulations relating to the Issue of. (Army Regulations, Vol. 1, Part III.) Dated 21th June, 1881. *Octavo Edition.* Price, in paper, 1s.; in cloth, 2s. *Pocket Edition.* Price 1s.

**QUEEN'S REGULATIONS AND ORDERS FOR THE ARMY.** 10th May, 1883. (Revised Army Regulations, Vol. 2.) 8vo. Price 2s.; interleaved, 3s. 9d.

**EQUIPMENT OF HER MAJESTY'S ARMY:** Royal Warrant and Regulations for. 1881. (Revised Army Regulations, Vol. 3.) Price 15s. (*Out of print.*)

Do. Abridged Edition. Price 7s. 6d.

Do. Appendix IV. Price 6d.

Do. Appendix V. Price 2s. 6d.

Do. Appendix XVIII. Price 6d.

**COMMISSARIAT AND TRANSPORT STAFF:** Regulations for. War Office, 14th February, 1881. (Revised Army Regulations, Vol. 4, Part I.) Price 3s. 6d.

**ORDNANCE STORE DEPARTMENT:** Regulations for. War Office, 20th March, 1879. (Revised Army Regulations, Vol. 4, Part II.) Price 4s.

**ENGINEER DEPARTMENT, ROYAL:** Regulations for, with Appendix. War Office, 1st December, 1882. (Revised Army Regulations, Vol. 5.) Price 3s.

**MEDICAL DEPARTMENT OF THE ARMY:** Regulations for. War Office, 1st November, 1878. (Revised Army Regulations, Vol. 6.) Price 3s.

**DRESS REGULATIONS FOR OFFICERS OF THE ARMY.** Horse Guards, War Office, 17th May, 1883. (Revised Army Regulations, Vol. 7.) Price 2s. (*Out of print.*)

**MILITIA: REGULATIONS FOR 1883.** (Revised Army Regulations, Vol. 8.) Price 2s.

**VOLUNTEER FORCE:** Regulations for. (Revised Army Regulations, Vol. 9.) 1881. Price 2s. 6d.

**CLOTHING AND NECESSARIES:** Regulations for the Supply of, to the Regular Forces. War Office, 1881. (Revised Army Regulations, Vol. 11.) Price 3s. 6d.

Do. do. Alterations and Additions. 1881. Price 2d.

**VETERINARY DEPARTMENT, HER MAJESTY'S ARMY.** Regulations for. 1882. Vol. 12. Price 1s. 3d.

**SUPPLY OF STORES TO AN ARMY IN THE FIELD BY THE ORDNANCE STORE DEPARTMENT.** Regulations for, and for the Organization of Services in connection therewith. (Issued with Army Circular, November, 1881.) Price, stitched, 9d.; cloth, 1s. 9d.

(1000 11 | 88 780)

Internat!

**MILITARY BOOKS, published by Authority—continued.**

**ROYAL MILITARY COLLEGE, ADMISSION TO, AND FIRST APPOINTMENTS THEREFROM TO THE ARMY:** Regulations for. War Office, August, 1880. Issued with General Order No. 113 of 1880. (Reprinted 1882.) Price 1*d*.

**ROYAL MILITARY COLLEGE:** Synopsis of Course of Instruction at. 1882. Price 6*d*.

**ROYAL MILITARY ACADEMY.** Regulations for Government of. 1875. Price 1*d*.

**MILITARY EXAMINATION PAPERS, viz.:—**

Royal Military Academy, Woolwich, and Royal Marine Artillery, June and July, 1883. Price 1*s*.

Royal Military College, Sandhurst, and Royal Marine Light Infantry, June and July, 1883. Price 1*s*.

Staff College, Report of the Examination for admission to the, held in June, 1882; with copies of the Examination Papers. 1882. Price 1*s*.

Staff College, Report of the Final Examination, December, 1882; with copies of Examination Papers. Price 1*s*.

Militia Subalterns: Report on the Examination of, in Military Subjects for Commissions in the Line. March, 1883. With copies of the Examination Papers. Price 1*s*.

*(Papers of earlier dates can still be had.)*

**STATUTE LAW RELATING TO THE ARMY.** Selected and arranged by C. M. CLODE, Esq., Legal Secretary. 1877. Price 1*s*. 3*d*.

**STATUTORY POWERS OF HER MAJESTY'S PRINCIPAL SECRETARY OF STATE FOR THE WAR DEPARTMENT—**Ordnance Branch. 1879. Price 5*s*.

**STATUTES RELATING TO WAR OFFICE AND TO THE ARMY.** Selected and arranged by C. M. CLODE, Esq., Legal Secretary. 1880. Price 5*s*.

**ARMY ACT, 1881, AND CERTAIN OTHER STATUTES RELATING TO THE ARMY. TOGETHER WITH RULES OF PROCEDURE, 1881, AND RULES FOR SUMMARY PUNISHMENT.** Second Edition, 1882. Price 2*s*

**RESERVE FORCES ACT AND MILITIA ACT, 1882.** Price 3*d*.

**INFANTRY:—**

**FIELD EXERCISE AND EVOLUTIONS OF.** Pocket Edition. Price 1*s*. 1877.

Do. do. **PART I. RECRUIT OR SQUAD DRILL.** 1883. Price 2*d*.

**BUGLE SOUNDS.** 1876. (Reprinted 1881.) Price 6*d*. *(Out of print.)*

**SWORD AND CARBINE SWORD-BAYONET EXERCISES.** December 1st. 1880. Price 6*d*.

**VALISE EQUIPMENT. INSTRUCTIONS FOR FITTING.** New Edition. 1878. Price 1*d*.

**TRANSPORT, REGIMENTAL, Manual for.** 1877. Price 3*d*.

**RIFLE AND CARBINE EXERCISES AND MUSKETRY INSTRUCTION.** Horse Guards, July, 1879. Pocket size. Price 1*s*.

**RIFLE EXERCISES AND MUSKETRY INSTRUCTION; Supplement to.** For the Use of Troops Armed with the Snider Rifle. July, 1879. Revised July, 1882. Price 3*d*.

**RIFLE EXERCISES AND MUSKETRY INSTRUCTION: Alterations made by General Orders in, since date of first issue in July, 1879. (1882)** Price 2*d*.

**MARTINI-HENRY RIFLE AND CARBINE (Cavalry and Artillery):** Manual and Firing Exercises for. 1881. Price 3*d*

**MILITARY CARRIAGES and other MANUFACTURES OF THE ROYAL CARRIAGE DEPARTMENT.** Treatise on. 3rd Edition. 1880. Price 5*s*.

**CAVALRY:—**

**SWORD, CARBINE, PISTOL, AND LANCE EXERCISE; Instructions for:** together with FIELD GUN DRILL. For the Use of the Cavalry. Adjutant-General's Office, Horse Guards, June, 1871. Pocket size. Price 1*s*. *(Out of print.)*

**INSTRUCTION AND MOVEMENTS OF:** Regulations for. 1876. Price, 8vo., 4*s*. 6*d*; Pocket Edition, 3*s*. 3*d*. *(Pocket Edition is out of print.)*

**MILITARY BOOKS, published by Authority--continued.**

- CAVALRY RECONNOITRING AN ENEMY**; Instructions in the Duties of: Marches, Outposts, &c. For the Use of Auxiliary Cavalry. 1875. Price 1s. 6d.
- CAVALRY CARBINE, SNIDER**: Manual and Firing Exercises for. Horse Guards, 1882. Price 1d.
- TRANSPORT, REGIMENTAL (Cavalry)**: Manual for. 1878. Price 3d.
- TRUMPET AND BUGLE SOUNDS** for Mounted Services and Garrison Artillery, with Instructions for the Training of Trumpeters. Horse Guards, 1st May, 1879. Price 2s.
- ARTILLERY, ROYAL REGIMENT OF**: Standing Orders of. 1876. Price 3s. (Out of print.)
- ARTILLERY EXERCISES, Siege and Garrison**: Manual of. 1879. Corrected to 1882. 8vo. Price 6s.
- ARTILLERY EXERCISES**: Siege and Garrison, Manual of. 1879. Errata (1880). Price 1d.
- ARTILLERY EXERCISES**: Siege and Garrison, Manual of. 1879. Pocket Edition. Vol. 1, Parts I.-IV., Vol. 2, Parts V.-X., corrected to March 5, 1880. Price 1s. 9d. each. (Vol. 2 reprinting.)
- ARTILLERY EXERCISES, Field**: Manual of. 1881. Price 3s. Interleaved, 4s.
- ARTILLERY, Siege. Engaged in Active Operations**. Instructions for the Service of; together with details of Stores to be supplied in connection therewith. (1880.) Price 4s. 6d.
- ARTILLERY CARBINE, SNIDER**: Manual and Firing Exercises for. 1879. (Revised November, 1881.) 1883. Price 2d.
- KIT PLATES**. Nos. 1 to 10. Price 2d. each.
- GUNS**: Handbooks for, viz.:—
- 80-PR. R.M.L. Converted, of 5 tons, on Sliding Carriage (Land Service). 1883. Price 1s.
  - 64-PR. R.M.L. Converted, of 58 and 71 cwts. L.S. (1880). Price 1s.
  - 64-PR. " " of 68 cwt., on Moncrieff Carriages (Land Service). 1883. Price 1s. 6d.
  - 40-PR. R.M.L. of 35 cwt. (1880). Price 1s.
  - 25-PR. " of 18 cwt. (1880). Price 1s.
  - 16-PR. " of 12 cwt. (Land Service). (1883). Price 1s.
  - 9-PR. " of 6 cwt. (Land Service). (1883). Price 9d.
  - 7-PR. " Steel, of 200 lbs. (1878). Price 1s. 6d.
  - 7-PR. " " " on Colonial Carriage (1882). Price 1s. 6d.
  - 10-inch " of 18 tons (1876). (Out of print.)
  - 10-inch " Sliding Carriage (Land Service). 1883. Price 1s.
  - 9-inch " of 12 tons (1876). Price 6d.
  - 7-inch " of 6½ and 7 tons, on Sliding and Moncrieff Carriage (Land Service). 1883. Price 2s. 6d.
  - 12 and 11 inch R.M.L. of 25 tons. (1879.) Price 1s. 6d.
  - 0.45-inch GATLING for LAND SERVICE. 3rd Edition. (1880.) Price 6d.
  - 0.45-inch GATLING for NAVAL SERVICE. (1880.) Price 6d.
- GUNS**: Range Tables for, viz.:—
- |                             |                         |
|-----------------------------|-------------------------|
| 13-PR. R.M.L. Gun of 8 cwt. | } 1882. Price 8d. each. |
| 16 " " 12 "                 |                         |
| 9 " " 6 "                   |                         |
| 7-PR. Gun of 400 lbs.       |                         |
- RANGE-FINDER, NOLAN, MARK I.**: Land Service, Handbook for. 1882. Price 1s. (Reprinting.)
- RANGE-FINDER. WATKIN**. Regulations for the Instruction in and Practice with. 1882. Price 1s.
- ARTIFICERS, MILITARY**: Handbook for. Prepared in the Instruction Branch of the Royal Carriage Department. Fourth Edition. 1883. Price 3s.
- ARMY SIGNALLING**: Manual of Instruction in. Horse Guards, War Office, 1883. Price 3d.
- MEDICAL DEPARTMENT OF THE ARMY**. Regulations for. War Office, 1st November, 1878. (Army Regns., Vol. 6.) 3s. (Out of print.)
- ARMY HOSPITAL CORPS**: Regulations for. (Out of print.)
- ARMY HOSPITAL CORPS**: Manual of Instruction for Non-commissioned Officers of. War Office, 1st July, 1875. (Reprinted 1882.) Price 2s. (Out of print.)

# HOSTILITIES

WITHOUT

## DECLARATION OF WAR.

AN HISTORICAL ABSTRACT OF THE CASES IN WHICH  
HOSTILITIES HAVE OCCURRED BETWEEN CIVILIZED  
POWERS PRIOR TO DECLARATION OR WARNING.

---

From 1700 to 1870.

---

*Compiled in the Intelligence Branch of the Quartermaster-General's Department,*

BY

BREVET-LIEUTENANT COLONEL J. F. MAURICE,  
ROYAL ARTILLERY.

LONDON:

*Printed under the Superintendence of Her Majesty's Stationery Office,*

AND SOLD BY

W. CLOWES & SONS, Limited, 13, Charing Cross; HARRISON & SONS, 59, Pall Mall;  
W. H. ALLEN & Co., 13, Waterloo Place; W. MITCHELL, 39, Charing Cross;  
LONGMANS & Co., Paternoster Row; TRUBNER & Co., 57 and 59, Ludgate Hill;  
STANFORD, Charing Cross; and KEGAN PAUL, TRENCH & Co., 1, Paternoster Square;  
Also by GRIFFIN & Co., The Hard, Portsea; A. & C. BLACK, Edinburgh;  
ALEX. THOM & Co., Abbey Street, and E. PONSONBY, Grafton Street, Dublin.

---

1883.

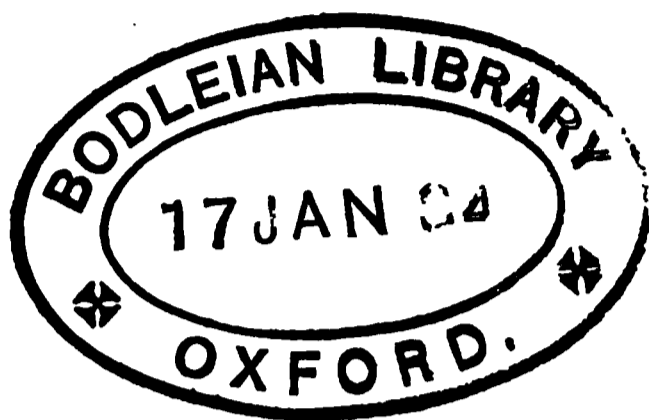
---

*Price Two Shillings.*

L. Int. B 54 d.

---

W. 1



[Wt. 13,300 1,000 10 | 83 H & S 730]

## CONTENTS.

---

	PAGE
Preface .. .. .	v-xiii
List of Authors and Editions to which reference is made .. .. .	1-2
General Statement summarising the results of the investigation .. .. .	3-11
Cases in Chronological order of Hostilities prior to Declaration and of Declaration prior to Hostilities .. .. .	12-79
Alphabetical Index.. .. .	80-90



## PREFACE.

---

THIS paper owes its origin to a Committee of the Board of Trade which sat in December, 1881, and January, 1882, on the subject of the Channel Tunnel, under the chairmanship of Sir T. Farrer. In the course of the proceedings of that Committee, Sir T. Farrer asked a series of questions, all connected with the point raised by him in the following words:—"Looking at all that we remember ourselves, is it probable that war would be declared against us, as we might say out of a clear sky, without any previous strain or notice that a quarrel was impending? Has that happened on any single occasion within the last 50 or 100 years?"

To ascertain the facts on this subject, the Adjutant-General ordered that a paper should be prepared giving the historical cases in which hostilities had taken place between civilised Powers prior to a declaration of war.

The paper was printed two or three months before the beginning of the late Egyptian campaign, and has since been referred to both by H.R.H. the Duke of Cambridge and by Lord Wolseley in various memoranda, and in evidence before the late "Joint Committee" on the Channel Tunnel. It was laid before the Committee by H.M.'s Government at the request of H.R.H. the Commander-in-Chief.

On July 24th, 1883, the Secretary of State for War, in consequence of questions by Lord Shaftesbury in the House of Lords, and by Mr. Gibson in the House of Commons, decided to publish it in a separate form. It has therefore now been supplemented by a list of authorities and alphabetical index, in order to render the matter more conveniently accessible.

One or two remarks will explain points which appear to have been misunderstood.

The form of the paper following the historical sequence of events has necessarily brought together a variety of cases of very unequal interest—some very trivial, some very important. As far as possible I have endeavoured to remedy this inconvenience by grouping the facts together in the general statement which precedes the chronological series of "cases." The earlier instances are recorded with the utmost possible brevity. As the date has approached nearer to our own times, the opinions of statesmen and the incidents themselves have been given at greater length. Wherever it has been possible to do so I have quoted the words of previous writers, in order to avoid any appearance of colouring facts, for the purpose of proving points suggested by the inquiry itself. During the latter part of the paper, the *quotations* are usually from the Annual Register of the year; during the earlier and briefer portion, the *quotations* are most frequently from Cust's "Annals." At the same time, when an author, and not an original document, has been quoted, marginal references are, in all cases where the matter is open to dispute, given to other authorities, so that the statement does not depend upon the correctness of any single writer.

Usually the circumstances of the time have been stated so far

as this appeared to be necessary to make the point clear; but it is obvious that the force of such cases as are here recorded can only be estimated in connection with a full account of the times in which they occurred. It would have been impossible, within any reasonable space, to have given all the features of the time, but it is of the utmost importance for the understanding of the paper that it should be realised that it is in no sense whatever a merely technical quasi-legal record of the cases in which some technical formality has been omitted, but that my object has been throughout to deal broadly with the point raised by Sir T. Farrer. The question, whether a formal warning be habitual, is of importance for that purpose; and when we are discussing whether the conditions under which England has hitherto lived ought to be altered, it is not enough, in order to judge of the probability of surprise, to take the cases where sudden war has arisen against her. Many such are here recorded; but not only these, but all those other cases in which sudden war has occurred during peace time, must be taken into account; because, under new conditions, we may be liable to the very same risks as other countries have been hitherto exposed to, and it may have been due to the conditions under which we have hitherto lived, if we have escaped dangers from which others have suffered.

Perhaps the extreme brevity of the narrative may prevent the suddenness of many of these attacks from being as striking as it ought to be. The fact is, at any rate, that in far the greater number of cases here recorded, the surprise, which overtook the assailed country, was as complete as would be the effect if *to-day*, or at any time during this last year and a half, a foreign army had landed on the shores of England. The popular excitement, the indignant remonstrances, the sense of wrong, are all features of the time, which in case after case startle one who is making such an investigation by their constant repetition. It was to be expected, however, that a record so brief as that which is here given should be suspected of undue colouring.

In the course of the discussion on the subject before the Joint Committee on the Channel Tunnel, Lord Aberdare, in order to show that no case here cited was precisely relevant as a precedent for sudden war, selected as an instance the case of our attack upon Copenhagen during peace time in 1807, of which an account is given on page 40, Case LVII. In order to show that facts not mentioned in the paper accounted for our action he made the following statements, in the form of questions, with reference to the collusion of Denmark in the secret Treaty of Tilsit:—

Q. 4930. "Have you not heard of the secret article of the treaty?"

Q. 4931. "The King of Denmark must have known of it?"

Q. 5166. "I suppose the King of Denmark, having entered into a treacherous arrangement with France and Russia, did everything he could to keep up the external appearances of peace; but take the case of Copenhagen, where the nation had, through its governor, really done an act which entitled the other country to take offensive measures against it; that is hardly to be quoted as parallel to ordinary cases." The assertion is put even more clearly in Lord Lansdowne's report on the Channel Tunnel: "The Danish fleet was, it is true, seized without a previous declaration of war: a proceeding due to and justified by the discovery by the English Government of the secret article of the Treaty of Tilsit, by which the Navy of Denmark had been put at the disposal of France—an act which, it is needless to say, constituted an alliance with our enemies, and which the Danish King and Govern-

ment must have known to be tantamount to a declaration of war, with all its consequences, for which they ought to have been prepared."

If these statements are historical the whole of this paper might as well not have been written: it is deceptive and deceptive only. It is necessary, therefore, as a question of the value of the whole, to examine fully in this particular instance the best evidence that the case admits of, in order, by a test chosen as specially unfavourable to it, to prove whether it be true that in this instance, or in any other, facts have been kept back which if given would change the effect of the report. I should be very glad if space permitted of a similar examination of every case, because there are many which much need the additional force that such an examination would give to each one of them. There may be errors in point of detail in the course of the report; there is not one case cited which is exaggerated or, I believe, in the least overstated. Many of those here casually quoted in a few lines have at the time excited the eloquence of our greatest statesmen. To take the chosen case.

Charges of some secret agreement never disclosed are often very hard to meet. If a notion that a Power we are about to attack *may* have some unknown and unproved secret understanding with an enemy be adequate reason for a surprise during peace time and friendly intercourse, there is no State in Europe which is not at this moment liable to attack from some other. In this instance the evidence that Denmark had no such understanding, and that we never alleged it against her as a ground of attack, is by a rare accident absolutely complete.

At the time of the conclusion of the secret treaty between Napoleon and Alexander, the King of Denmark was in his own kingdom, 400 miles by sea, 750 by land, from Tilsit.\* All the particulars of the secret compact have been published by Bignon, of whom Alison fairly says that, considering the nature of his evidence, "it is impossible to quote them from a more unexceptionable authority; and he himself says that he has given them *textuellement*."

Alison, edition of 1849, p. 562, note.

Now Bignon says expressly: "Si l'on excepte quelques dispositions de ce traité, dont l'existence a été nécessairement trahie par les actes publics qui ont dû en être la suite, le reste en était jusqu'à ce jour (1831) demeuré secret et renfermé entre les Cabinets SEULS de Paris et de Pétersbourg." Bignon, moreover, has described the elaborate precautions which were taken to render the conference of the emperors absolutely private. On the 25th June, 1807, two rafts were moored in the river Niemen. Tents were placed on each of them. One raft was reserved for the most confidential members of the staff of each emperor. On the other raft, personally and absolutely by themselves, as they believed, the two emperors met. Cut off from even their most intimate attendants by the waters of the river, they agreed between them to divide the world. The details of that conference were only reduced to writing afterwards, and in part, in the public and in the secret "Treaties of Tilsit."

Bignon, Vol. VI, p. 320, note.

But the precautions had been too elaborate.

Within one of the folds of the very tent in which the two despots were discussing the fate of nations there was all the time hidden a listener. "He then and there heard Napoleon propose to Alexander, and Alexander consent to the proposition, that the French should take possession of the powerful fleet of Denmark, which was lying in the waters of Copenhagen. The individual who thus acquired a knowledge of this bargain lost no time in communicating it to the British

Canning's "Life and Times," by the late Mr. H. G. Stapleton, p. 125.

---

\* As was also the Crown Prince, a much more important person at that time.

Government, and gave such proofs of the accuracy of his intelligence as left no doubt of its truth in Mr. Canning's mind. The difficulty, however, in dealing with the information was immense. England was at peace with Denmark; how, therefore, could she contrive to withdraw so powerful an instrument of attack on herself out of Danish hands? If it were not done, it was certain that, in a few weeks, it would be turned against her, either with or without the consent of Denmark." Such was the source of the knowledge on which Canning induced the Cabinet to order the sailing of the fleet. His private secretary, biographer, and friend may be trusted, if any one can, to say what he knew, and on what information he acted. It was on a report direct from the tent of the two emperors. Moreover, Mr. Stapleton, in referring to the words of the secret treaty, quotes only that part which immediately determined our action. The wording of this the 5th Article of the secret treaty, as it was reduced to writing, ran thus:—

Bignon, Vol. VI,  
p. 321.

"Dans le cas ou le cabinet britannique n'aurait pas fait à la notification russe une réponse satisfaisante, la France et la Russie sommeraient les trois cours de Copenhague, de Stockholm, et de Lisbonne, de fermer leurs ports aux Anglais, de rappeler de Londres leurs ambassadeurs, et de déclarer la guerre à l'Angleterre."

In other words, so little were either Alexander or Napoleon at this time aware of any even friendly disposition towards them in Denmark that they treat Denmark exactly on the same footing with Sweden and Portugal, who were, and remained throughout, during the reigns of their respective monarchs of 1807, our faithful allies.

Canning's  
Speeches, Vol. II,  
p. 331.

The course of the debate on the expedition, on Feb. 25th, 1808, gave Canning an opportunity of expressly repudiating the statement that he had ever charged Denmark with the act which Lord Aberdare declares to have been the cause of the expedition. "He (Sheridan) had stated that he (Canning), from Lord Howick's despatch, had imputed that the Danish Court was in collusion with France; but this was a mistake: he had only stated that from all the circumstances of Denmark's having retreated as the French advanced towards Holstein, there was reason to apprehend, if they got possession of Holstein, Denmark might dread their proceeding to do the same by Zealand, and that might be a means of drawing the Danish fleet into the hands of France."

Edition of 1849,  
Vol. VIII, p. 267,  
note.

Canning had to meet in the House a charge that he had converted a country which might have been a warm friend into a fierce enemy. In order to show the unfairness of this charge, he endeavoured to prove that Denmark was not specially friendly to us, and was likely to yield to the force of France. But it is in no sense on this fact that he bases his defence of the seizure of the fleet. The essence of his defence, in which he is followed by most English writers, is simply this, which Sir A. Alison quotes from Grotius: "I may, *without considering whether it is merited or not*, take possession of that which belongs to another, if I have reason to fear any evil from his holding it; but I cannot make myself master or proprietor of it, the property having nothing to do with the end which I propose. I can only keep possession of the thing seized till my safety is sufficiently provided for."\*

---

\* Mr. Yonge, in his "Life of Lord Liverpool," then Lord Hawksbury, and a member of the Cabinet, well puts it:—"The Ministers had never alleged or supposed that Denmark had concurred, or had been invited to concur, in the secret articles; they merely affirmed, what was patent to the meanest comprehension, that Denmark was not strong enough to refuse an invitation which was likely to be

Such is the case as it has been always known to our generation. I cite it only in order to show that during our time there never has been any excuse for supposing that when Canning proposed the orders for the sailing of the fleet he had any reason whatever to think that Denmark had entered into a secret alliance against us, or that he ever alleged that as the cause of his action.

But since Alison, Bignon, and Stapleton wrote, evidence far more decisive, as to the relations between Denmark and France, has appeared in the publication of the thirty-two great volumes containing the Napoleon correspondence. Coming, as the letters on every conceivable subject do, in consecutive chronological order, without any possibility of design, and without any reference to a particular question, drawing in this instance all their importance from their relation to facts not stated in the volume, and not at the time known to Napoleon, the evidence is clearly unexceptionable.

According to Canning's own statement in the House of Commons, the fleet sailed from the Downs on July 26th, 1807, and the information on which the English Government acted had been "confidentially communicated" to them "a long time previously."

Parliamentary  
Debates, Jan.  
21st, 1808, Vol.  
X, Col. 93.

pressed on her by neighbours of a strength so disproportionate to her own." Canning's views as to the duties of an English statesman in such a matter are most clearly expressed in his citation of the case of the capture of Madeira in 1801, and the instructions to Lord St. Vincent in 1806. Of the first he says: "In the year 1801 the island of Madeira had been taken possession of by our Government, for fear it should fall into the hands of the French. Yet Portugal was a neutral nation, and had always by way of pre-eminence been styled the old and ancient ally of England. The capture of Madeira had been effected without any previous communication to the Court of Lisbon. Undoubtedly instructions had been sent to our Minister at the Court of Lisbon to request that an order should be sent to the Governor to surrender the island in goodwill. The instructions arrived at Lisbon about the time that the troops arrived at Madeira, and *the island was consequently taken by force before any orders could have been sent out to deliver it.*" "He did not mean to condemn the capture of that island." (Speeches, Vol. II, p. 318; Hansard, Vol. X, p. 66.) Of the instructions to Lord St. Vincent he says: "In the year 1806 there had been *reports* of its being the intention of the French Government to invade Portugal. . . . *He admired the conduct which had been adopted by the late Ministers on that occasion; he applauded their spirit.*" He then read the instructions, which were:—

1. If Portugal would fight France, to offer all assistance.
2. If the Court wished to go to Brazil, to protect them.

3. If Portugal showed any disposition to yield to France, then in any case the Port of Lisbon was to be prevented from falling into the hands of the French, the Portuguese Navy was to be secured, every vessel that was serviceable was to be brought off, "For the execution of these instructions, the troops that were then embarking were to be sent to him with all convenient expedition; but he was not to give any intimation of the circumstances to the Portuguese Government, nor to hold any language that might excite the suspicion of the French Minister, or lead to any measures of precaution; and as it might be necessary to employ the troops immediately on their arrival, in order to secure a strong position, he was to have the marines and boats of the fleet constantly in readiness for that service." "The only shyness that had been felt in producing" these instructions "before was that it would place him [Canning] and his colleagues in the situation of convicted plagiarists" (Vol. II, pp. 319–321). It is significant that these instructions were issued in 1806, by Ministers who, when in opposition in 1805, had voted with Dr. Laurence (*vide* Case LI, p. 37, *infra*), that every instance of the kind "had since been condemned and reprobated by every man of common understanding." I must confess that the two cases cited by Canning escaped me in drawing up the series in the text. Nor do I now know if they are elsewhere recorded. It is very possible that many more have occurred, the record of which I have not succeeded in tracing; for it often happens that both the aggressor and the assailed Power, from different motives, are equally anxious to hush up the facts soon after they have happened. There are many cases of which I do know that, as illustrations of political morality in this matter, might have been included; amongst others at least three attempts to surprise Gibraltar: actual hostilities were avoided more by chance than design.

If, therefore, as Lord Aberdare asserts, the motive of our action was the knowledge of "a treacherous arrangement with France and Russia," into which the King of Denmark had entered, that treacherous arrangement must have been entered into some time *prior to July 26th, 1807.*

Correspondence  
de Napoleon,  
Vol. XV, p. 573,  
Letter No. 12962.

Now on July 31st, 1807, Napoleon having recently arrived at St. Cloud, and hastening to carry out his Tilsit schemes, writes to Talleyrand to tell him to see the Danish Minister in Paris on August 1st, and warn him "que si l'Angleterre refuse la médiation de la Russie, il faut nécessairement qu'il choisisse ou de faire la guerre à l'Angleterre, ou de me la faire."

Alison, V, VI,  
p. 466.

And yet later, on August 2nd, the day before all communication between Zealand and the mainland was cut off by a section of the English fleet, he writes from St. Cloud to Bernadotte, then on the borders of Holstein:—

Letter 12974,  
Vol. XV, p. 584.

"Si l'Angleterre n'accepte pas la médiation de la Russie il faut que le Danemark lui déclare la guerre, ou que je la déclare au Danemark. Vous serez destiné dans ce dernier cas, à vous emparer de tout le continent Danois. Comme vous êtes sur les frontières de ce pays envoyez-moi des mémoires sur les obstacles que pourrait opposer le Danemark, et sur les ressources qu'il présente pour vivre. Votre langage doit être celui-ci: Vous récrier" (*sic* in original) "sur ce que le Danemark a ouvert le passage du Sund et laisse violer une mer qui, pour les Danois, a dû être aussi inviolable que leur territoire."

So that not only did not Napoleon a week after the sailing of the English fleet know of that "treacherous arrangement" with himself which Lord Aberdare declares to have been the cause of its despatch, but he was actually at the time reproaching Denmark with a breach of neutrality against him, much more recent and more definite than any that the English Cabinet could complain of, and was discussing the resistance that he might expect Denmark to be able to offer him.

See Hansard,  
Vol. X, p. 759 to  
p. 779.

I believe that any one who fairly considers Napoleon's correspondence at the time, as we now have it, and the utmost that can be said to show even a disposition on the part of Denmark against us, as well as the despatches of our envoy, Mr. Garlike, from Copenhagen, will come to the conclusion that the Danish Declaration fairly sets forth the truth when it asserts that during all that time, most trying to a small neutral Power, the Danes had been loyally endeavouring to observe a strict neutrality between the mighty contending forces on either side up to the moment when, as that Declaration sets forth—

Annual Register  
State Papers,  
1807, p. 734.  
The Danish  
declaration of  
August 24th,  
1807.

"The Danish Government saw the English ships-of-war upon their coast, without even the conjecture that they were to be employed against Denmark. The island of Zealand was surrounded, the capital threatened, and the Danish territory violated and injured, before the Court of London had made use of a single word to express the hostility of its feelings." The dates in this matter, not having been anywhere collected, may as well here be given, with the authorities for each of them.

Bignon, Vol. VI,  
p. 300.

The first interview between Napoleon and Alexander, in the tent on the raft in the Niemen, took place on June 25th, 1807. It lasted two hours.

Ditto, p. 301.

The second took place on June 26th, but the King of Prussia was then present, and it is therefore practically certain, from the nature of Mr. Stapleton's statement, that it must have been at the interview of June 25th that the plot was overheard by our agent. The news reached Canning "a long time" before July 26th. James says

that the decision of the Cabinet was arrived at "on and not before the 19th July" (James, Vol. IV, p. 411).

On July 26th one part of the fleet sailed from the Downs.

And on August 3rd a part of it cut off communication with the mainland.

Meantime, on July 7th, the Treaties of Tilsit were signed. The news of their signature did not reach England till August 8th.

It was not, therefore,—and Canning, if his speech be studied, will be seen never to have asserted that it was,—the actual Treaty of Tilsit, secret or public, on which he acted, but the personal and verbal agreement between the two emperors on June 25th, as reported to him by our agent, who overheard it in the tent itself. Canning of course could not state this at the time in his speech. The harassing questions which were on this very account addressed to him, and his efforts to answer them without disclosure and without falsehood, are very curious.\*

Lord Aberdare's next historical statement is even more directly in conflict with all historical evidence. In answer 5169 Lord Wolseley

Parliamentary  
Debates, Vol. X,  
Col. 93.

Bignon, Vol. VI,  
p. 311.

Canning's  
Speech, Jan.  
22nd, Vol. X,  
Col. 93; and  
Jan. 21st, Vol. X,  
Col. 62 to 67.

---

\* As far as I can discover, no historian who has examined the evidence has given the least excuse for the statement that Denmark was aware of the secret articles of the Treaty of Tilsit prior to the despatch of our fleet, or that Ministers ever alleged against Denmark such knowledge. A rather careless expression of Jomini's, often quoted, to the effect that Napoleon did not expect any difficulty with Denmark, is perhaps the nearest approach to anything of the kind. But Jomini concerns himself with Napoleon's strategy and tactics, only incidentally with his politics. The form of his book gives it almost the character of a romance, designed for the instruction of soldiers. It does not bind him to nice accuracy as regards political events. It may be safely assumed that Lord Aberdare did not select such a writer for his authority, and it is very curious that any one should. At the same time I am bound to say that I cannot find that there anywhere exists in one volume a complete and accurate statement of the whole of the facts. Mr. Dyer, who is, I suppose, the modern historian to whom most people would first refer, has apparently consulted in this matter neither Bignon or the Napoleon Correspondence on the one hand, nor any of the three lives of Canning or Canning's Speeches on the other, nor yet the correspondence from the Hague, presented to Parliament in 1808, of our own ambassador, whose despatches, anxious as he was to urge Denmark into war with France, supply some of the clearest evidence of the efforts of the Danish Court to preserve a *bond fide* neutrality. One important point which Mr. Dyer has missed is the fact that Canning's information, derived from the emperors' tent, gave him a general knowledge of the whole scheme, without any accurate account of the mode in which the agreement was afterwards formulated. This is the explanation of the disputes about "the secret treaty of ten articles," on which Garden and Schnitzler throw just the same doubts as Bignon, though Bignon explains the circumstances much more clearly than either. Again, Mr. Dyer does not seem to be aware that the suspicion, which he mentions on Schlosser's authority, that Talleyrand betrayed the treaty, was originally published by Fouché, as an idea of Napoleon's, and that a comparison of dates, as Mr. Bell has shown, proves that Napoleon was wrong in the grounds of his suspicion. If any one would take as the subject of a careful monograph, one of the most dramatic and important incidents in the world's history, he would find a practically clear field and yet ample materials.

In referring to Mr. Dyer, I ought to notice that he is an exception to the remark I have made elsewhere, about the frequent carelessness of the use of the term "declaration of war" by historians. He says expressly, *apropos* to the case given on pages 35, 36, 37: "Great Britain had always been accustomed to commence hostilities without a formal declaration of war" (Vol. IV, p. 384), but why Great Britain should be thus exceptionally spoken of I do not know. A reference to the words "War without warning" in the Index will show that every Power has done its best in that matter.

Mr. Fyfe gives no authorities except Napoleon's letter of July 21st. His account is in several respects incomplete, and contains some misstatements; but I think it is the best that there is, as to facts, whether his assertion of principles be right or not.

Lanfrey notices Napoleon's letters, but has not examined the English evidence, and this is the general defect in all the foreign histories—Garden, Bignon, &c.

referred to "the statement made in the House of Lords by Lord Granville, on the authority of the Foreign Office officials; it amounted to this, that the political horizon had never been so clear in his remembrance as the horizon of Europe was at that time; that was in 1870."

Lord Aberdare, who had been a member of the Government which was in office from December 9th, 1868, to February 21st, 1874, replied at once, without the least suggestion of doubt or uncertainty:—

Q. 5170. "That was in the Queen's Speech in February, 1869, the year before the war; between that time and the war there had been a great many *pour-parlers*, and great anxiety lasting over several months?"

To which Lord Wolseley answered: "There was, I think, some such statement made in 1870 in our Parliament about the peaceable condition of Europe."

And Lord Aberdare replied:—

Q. 5171. "The particular statement is one made when the Government came into office, towards the end of 1868, or the beginning of 1869."

Now a reference to Hansard, 3rd series, Vol. 203, p. 3, shows that on *July 11th*, 1870, Lord Granville spoke as follows:—

"I had the honour of receiving the seals of the Foreign Office last Wednesday. On the previous day I had an unofficial communication with the able and experienced Under-Secretary, Mr. Hammond, at the Foreign Office, and he told me, it being then 3 or 4 o'clock, that with the exception of the sad and painful subject about to be discussed this evening [the capture of Englishmen by Greek brigands], he had never during his long experience known so great a lull in foreign affairs, and that he was not aware of any important question that I should have to deal with. At 6 o'clock that evening, when we were about to begin the discussion on the Report of the Irish Land Bill, I received a telegram informing me of the choice which had been made by the Provisional Government of Spain, of Prince Leopold of Hohenzollern, and of his acceptance of the offer."

Lord Granville goes on to explain how this incident, arising *two hours after* Mr. Hammond's report, had led to "strong language," used *at once* by the French Government to the Prussian, and the existence of "a strong and excited public opinion in France." Three days afterwards the Benedetti incident occurred.

On the 19th of July war was formally declared.

The whole period, therefore, between Mr. Hammond's statement and the incident which so raised French passions that war from that moment was always inevitable, was *two hours*. The whole period between Lord Granville's statement and the formal declaration of war was eight days. It is difficult to know how within either of these there was room and verge [enough for "months of *pour-parlers*," or how Lord Granville could, in the end of 1868 or beginning of 1869, have made a statement as Secretary of State for Foreign Affairs, seeing that from the beginning of 1869 to the period of his death in 1870 Lord Clarendon, and not Lord Granville, was Foreign Secretary. The Queen's Speech of February, [1869, contains no sentence which, by the utmost stretch of ingenuity, can be supposed to be the one referred to. The matter is of the more importance because an assumption of the historical accuracy of the statements, which it has been the object of this Preface to prove to be contrary to all evidence, has been avowedly made the basis of the minority report

of the Channel Tunnel Committee, signed by Lord Lansdowne, Lord Aberdare, Mr. Baxter, and Mr. Arthur Peel.\*

In no case have I made any attempt to show whether the acts reported were right or wrong, wise or unwise, statesmanlike or not. The only question I have dealt with is, what were the facts? To point a moral is beyond the scope of the paper.

J. F. MAURICE.

INTELLIGENCE DEPARTMENT,  
ADAIR HOUSE, PALL MALL.

*August 11th, 1883.*

---

\* A third case is quoted in the report—that dealt with in Case LI, p. 35 &c.; but I think that sufficient evidence is supplied in the text (pp. 36 and 37) of the view which foreign Powers are likely to take of that transaction: that the Preface has been long enough, and that till what has been stated in it has been disproved I may claim to have transferred the burden of proof, or at least the presumption of error in other cases. It will be perhaps sufficient to say that while these four statesmen in 1883 say that the seizure of the Spanish ships (Case LI) “was, in fact, the sequel of a long and angry correspondence,” it will be found on reference to Hansard and the Annual Register for 1805, that on Feb. 12th, 1805, Charles James Fox, Lord William Russell, Lord G. Cavendish, Thos. Erskine, T. Grenville, and a hundred other members of the House, to whose opinions it might have been supposed these four statesmen would attach particular weight, formally declared by their votes that the seizure was made “previous to all complaint, and executed without notice, during a period of amicable negotiation” (Annual Register, p. 23), and that though the amendment which contains these words was rejected by the House, no one then disputed that part of the statement. “That the seizure was in accordance with a practice which was frequent in the 18th century,” and has been much more frequent in the 19th, cannot be disputed; but whether it is a fair statement of the case to say that Spain, by her treaty engagements with France, would be necessarily involved in war with us, is a question which it would take much space to discuss, and seeing that the treaty with France was not the immediate cause of our action, does not affect the point at issue—whether or no Spain was completely surprised during peace before she expected war, and whether, therefore, we too, who have frequently done things during peace which foreign Cabinets have disapproved, may not some fine day be also attacked during profound peace such as reigns to-day.

---



## LIST OF EDITIONS AND AUTHORS QUOTED.

---

- Alison, Sir A. History of Europe, from the commencement of the French Revolution to the Restoration of the Bourbons in 1815. 2nd and 3rd editions, and edition of 1849. The editions are arranged so very differently that the actual edition referred to has been quoted in each instance.
- Annual Registers, from 1777 to 1870. (N.B.—Some years, *e.g.*, 1791, 1792, two series of Annual Registers were published. Those quoted belong to Dodsley's series.)
- Bell, Robert. The Life of the Right Hon. George Canning. London: Chapman & Hall, 1846.
- Bignon. Histoire de France depuis le 18 Brumaire jusqu'à la Paix de Tilsitt, par M. Bignon. 6 vols. Bruxelles: J. P. Queline, 1831.
- Bussey, George Moir. History of Napoleon, illustrated by Horace Verney. In two vols. London: Joseph Thomas, 1840.
- Carlyle, Thos. History of Frederick II. of Prussia, called Frederick the Great. 6 vols., 8vo. 1858.
- Cobbett's Parliamentary History (see Hansard).
- Correspondence de Napoleon I. Publiée par ordre de l'Empereur Napoleon III. 32 vols., imperial 4to. 1858–1869.
- Crowe's History of France. Lardner's Cabinet Cyclopædia, Vol. LXIX.
- Cust, Major-Gen. the Hon. Sir E. Annals of the Wars in the 18th Century, 5 vols. 12mo. London, 1857. Annals of the Wars in the 19th Century, 4 vols. These latter are quoted consecutively to the others, as "Cust, VI, VII, VIII, IX."
- Dyer, Thomas Henry. The History of Modern Europe, from the fall of Constantinople in 1453, to the War in the Crimea in 1857. In 4 vols. London: John Murray, 1864.
- Fyffe, C. A. A History of Modern Europe, from the outbreak of the Revolutionary War in 1792 to the Accession of Louis XVIII in 1814. Vol. I. London: Cassell, Petter, Galpin & Co., 1880.
- Garden, Comte de. Traité Complet de Diplomatie. Paris: Treuttel et Würtz, 1833.
- Garden, Comte de. Histoire Generale des Traités de Paix. Paris: Amyot, 1847–1858.
- Gleig, Rev. G. R. The Life of Robert, First Lord Clive. New edition. London: John Murray, 1861.
- Green, John Richard. History of the English People. In 4 vols. London: Macmillan & Co., 1880.
- Hansard's Parliamentary History (by Cobbett, Wright, and others), from the earliest period to 1803. 36 vols., royal 8vo. 1806–1836.
- Hansard's Parliamentary Debates, from November, 1803, successive series to 1870.
- James, William. The Naval History of Great Britain, from the Declaration of War by France in 1793, to the Accession of George IV. In 6 vols. London: Richard Bentley, 1860.
- Kinglake, A. W. The Invasion of the Crimea. 4 vols., 8vo. London, 1868.
- Longman, F. W. Frederick the Great and the Seven Years' War. London: Longmans, Green & Co., 1881.
- Lowell, James R. Poetical Works. Household Edition. Boston: Houghton, Mifflin & Co., 1881.
- McCarthy, Justin. A History of Our Own Times, from the Accession of Queen Victoria to the Berlin Congress. In 4 vols. 8th edition. London: Chatto & Windus, 1879.

- Lord Mahon.\* History of England. from the Peace of Utrecht to the Peace of Versailles. 1st edition, 1713-1783. The second figures given in some cases refer to later editions. Where these are not given the indication is sufficient for the first four editions.
- Mill, James. The History of British India. In 6 vols. 3rd edition. London: Baldwin, Cradock & Joy, 1826.
- Nelson. The Despatches and Letters of Vice-Admiral Lord Viscount Nelson. In 7 vols. With Notes by Sir Nicholas Harris Nicolas, G.C.M.G. London: Henry Colborn, 1845.
- Nelson. The Life of Admiral Lord Nelson, K.B. From His Lordship's Manuscripts. By the Rev. James Stonier Clarke, F.R.S., and John McArthur, Esq., LL.D. Imperial 4to. London: T. Cadell and W. Davies, 1809.
- Schlosser, F. C. History of the Eighteenth Century and of the Nineteenth till the Overthrow of the French Empire. Translated by D. Davison. 8 vols., 8vo. London: Chapman & Hall, 1845.
- Schnitzler, J. H. Secret History of the Court and Government of Russia under the Emperors Alexander and Nicholas. London: Richard Bentley, 1847.
- Sismondi's History of the Italian Republics. 1 vol. Lardner's Cabinet Cyclopædia, Vol. LX.
- Smollett, Tobias, M.D. History of England, from the Revolution to the Death of George II. 5 vols., 8vo. London: T. Cadell, 1790.
- State Papers. British and Foreign State Papers. Compiled by the Librarian and Keeper of the Papers, Foreign Office. Successive volumes. (N.B.—In a few years a part of the Annual Register is headed "State Papers," not, as usual, "Public Documents." The references are quite distinct from those to these volumes.)
- Therry, R. The Speeches of the Right Hon. George Canning, with a Memoir of his Life. In 6 vols. James Ridgeway, 1828. (The Memoir is almost useless. No papers were in Mr. Therry's hands for the purpose. The speeches only are quoted in the text.)
- Thiers. History of the Consulate and the Empire of France under Napoleon. Translated by D. Forbes Campbell, Esq. London: Henry Colborn, 1845.
- Thornton, E. History of the British Empire in India. 6 vols., 8vo. 1841-1844.
- Voltaire. Histoire de Charles XII. Vol. XXIII, Œuvres complètes 72 vols., 8vo. 1785.
- Voltaire. Siècle de Louis XIV. Vol. XX, ditto, ditto.
- Yonge. Life and Administration of Robert Banks, Second Earl of Liverpool, K.G. Compiled from Original Documents. London: Macmillan & Co., 1868.

---

\* Afterwards Lord Stanhope, but not at the time either edition here quoted was published.

## HOSTILITIES WITHOUT DECLARATION OF WAR.

---

THE question has been raised whether a country living in peace with all its neighbours has any reason to fear that war may *suddenly* burst upon it.

Many of the improvements of modern science, where they break down the natural barriers between nations, offer facilities to an invading army, which would be confessedly dangerous to national independence if the two countries whose barriers are removed or pierced were at war.

If, however, war and peace are really separated by a distinct and emphatic line of demarcation, so that a nation at peace may take for granted that what would happen if it were at war, cannot possibly happen during peace, then, at least, there will be before war can take the place of peace, sufficient leisure, during which the necessary changes can be made to suit the altered conditions of life, then there will be no reason to fear lest the facilities offered to kindly neighbours should become the means of aggression for bitter foes.

It appears, therefore, to be of some importance to ascertain historically whether within the last 200 years any cases have occurred in which the warning of coming war has not been very clear, or has not been given long beforehand. For it is not safe that the question should be left to be determined by casual impressions and chance surmises: it is necessary that whatever may have been in this matter, the experience of modern times should be carefully recorded. The most excellent general impressions as to what ought to be the mode of procedure by which statesmen give warning before they make war, will not be an adequate security for the freedom of a kingdom, if it is in fact true that under the excitement of popular passion or private ambition, rulers of armies or of armed nations have sometimes disregarded all obligations of the kind, and have, in the midst of profound peace, taken advantage of the confidence of their neighbours.

If such a thing has, under the conditions of modern times, ever happened, it is always possible that it may happen again. Unless national life and security are to be seriously imperilled, provision must be made, not only against that which will certainly happen, but against any danger which the experience of the past shows to be among the chances to be reckoned with. When the unexpected blow has once fallen, it will be in vain to plead that many previous years had passed during which nothing of the kind had happened.

It is to clear this doubt as to what the experience of the past in this matter has been that the following paper has been prepared. A chronological table has been arranged, showing all the circumstances under which hostilities have been commenced by different countries against others, prior to a declaration of war, from the year 1700 to 1871.

The result of the investigation, as the work has gone on, has been completely to change its character. It was commenced under the impression that here and there a casual case might be discovered in which the ambition of Napoleon or of Frederick, had led to some breach of established usage. The result is to show conclusively that there has not been, unless in mere theory, and in the tone adopted by historians as to what ought to have been, any established usage whatever on the subject. Circumstances have occurred in which "declarations of war" have been issued prior to hostilities; but during the 171 years here given (from 1700 to 1870 inclusive), less than ten instances of the kind have occurred.

One or two doubtful instances of previous declaration have not been referred to.\*

The other cases of previous declaration are mentioned, and are chiefly interesting as showing how few of them were due to a punctilious desire to warn an unsuspecting friend that he was about to be treated as an enemy. In one case (see Case A, date 1719) France issued a declaration of war prior to joining us in a war against Spain; this may be considered as a fair case of giving warning, but in all instances in which the warned Power is already at war, the warning is comparatively valueless. For the country being at war preparations against surprise have already been made: the conditions of war have already taken the place of the conditions of peace. It is only those cases in which a country actually at peace with all its neighbours, has received warning of coming war, that provide peaceful citizens with adequate precedents on which to build their hopes of security.

In the second case here recorded, political motives led the French Convention to declare war against Europe (see Case B, 1792); in the third case, popular excitement led to a similar declaration (see Case C, 1793).

After the Peace of Amiens, England and France declared war, there being no motive to tempt either to effect a surprise, since both Powers had been preparing for war during nearly all the time of peace, and England, as Napoleon well knew, regarded Napoleon's acts of aggression against Switzerland as virtual hostilities against herself.

On the other hand, 107 cases† are recorded in which hostilities have been commenced by the subjects of European Powers or of the United States of America, against other powers without declaration of war. This number only includes for the European Powers instances of European action in Europe, on the borders of the Mediterranean, or against colonies in possession of European Powers abroad. If the whole history of Indian, Chinese, and extra-colonial wars with savage tribes had been added, the number might have been greatly increased, but the only effect would have been to lengthen the paper without supplying illustrations precisely relevant to the matter in hand.

During the 171 years every one of the Great Powers of Europe has engaged in such transactions again and again. In many of the separate cases the action of various Powers is involved.

\* These cases were omitted from the record in the present paper because at the time that part of the narrative was being composed, it was not known how rare and interesting a phenomenon a declaration of war actually preceding war is, and the purpose of the paper was to furnish a report on the opposite class of cases, those in which hostilities have preceded declaration.

† A few cases additional to the 107 have been introduced in revising the paper. but the division between different cases has been unavoidably arbitrary, some "cases" recording several separate acts of the kind, so that it has seemed better to leave the text of this introduction as it stands.

In 41 of these cases (viz., Cases 1, 2, 3, 5, 6, 8, 10, 11 (a), 13, 15, 20, 22, 26, 30, 32, 34, 35, 36, 37, 39, 41, 43, 44, 45, 49, 50, 51, 54, 55, 56, 58, 63, 64 (1), 64 (2), 65, 67, 68, 69, 78, 84, 104) the manifest motive (in several instances the actually avowed motive) has been to secure advantages by the suddenness of the movement and the consequent surprise of an unprepared enemy.

In 12 cases the action prior to declaration has apparently proceeded from mere indifference or from a motive which has continually acted most powerfully, the desire to postpone as long as possible the formal declaration of war, and if possible to throw upon an opponent the responsibility of being first declare to it (Cases 4, 7, 12, 46, 62, 71, 72, 81, 88, 91, 94, 99).

In 12 cases the power to wage war at discretion, and according to circumstances, has been either assumed by or granted to local plenipotentiaries or other officers (Cases 18, 21, 56, 60, 65, 70, 76, 84, 86, 87, 92, 102).

In nine cases sudden action has been taken in order to anticipate the designs of an enemy or a friend, either discovered by secret means, known, suspected, or in course of accomplishment (Cases 11 (b), 27, 33, 47, 57, 68, 77, 101, 106).

In 16 cases the methods of hostility variously described as "the exaction of material guarantees," "Federal Execution," "Reprisals," "Unofficial war," "Pressure," "Irregular raids," are the chief features. The general characteristic of all these is a state intermediate between peace and war (Cases 14, 48, 75, 79, 82, 83, 85, 91, 95, 96, 97, 100, 103, 105, 106, 107.)

In four cases the mere progress of victory and the course of war has led to the violation of boundaries and the conquest of independent peaceful states (Cases 23, 40, 42, 52).

In four or five cases Powers have slipped into war by giving friendly assistance as auxiliaries on opposite sides of a quarrel. (Of these, perhaps, the most curious is Case 19, that of the Battle of Dettingen, where an English king commanding an English army fought against the French, though the two countries were not nominally at war, and ambassadors of each were at the time residing at the Court of the other (Cases 32, 33, 59, and 90 are of the same kind).

Other cases are specially interesting to Englishmen, because they show how fierce wars may break out at some distant point of our great colonial empire without the mother countries, whose forces are engaged, being even aware till long afterwards that fighting has taken place: how the home Power which first receives the news may consider itself justified in almost any act of sudden aggression, and may, in consequence of the prior colonial hostilities, contrive to appear before Europe in the light of the aggrieved Power rather than of the aggressor, no matter how violent its action in Europe may be (Confer Cases 24, 25, 26, and 28).

Other cases show the almost infinite variety of circumstances under which hostilities may commence, sometimes becoming the occasion of great wars, sometimes leading to no further result than the actual bloodshed of the first engagements.

Thus 16 and 17 are cases of fierce fighting, ending in subsequent apologies. 61 presents a remarkable instance of a great country designing to wage sudden war against a fraction of the naval forces of another Power, and by mistake attacking the wrong fraction, with which fraction their design was to remain at peace.

Case 66 is simply an act of local police, but it presents just

the kind of overt action which has in other instances been held to justify sudden "reprisals," and "reprisals" have frequently led on as suddenly to war.

Case 84 is an instance in which an act by no means intended as one of hostility against France, became in fact, in the judgment of the Minister of France, an act of war against her, which, had M. Thiers remained in office, would have seemed to him to justify any sudden act of hostility in return.

Case 93, that of the French siege of Rome, can hardly be brought under any short definition.

Cases 68, 73, 74, 80, 89 are those of unannounced wars carried on because the Governments assailed, being of a form disapproved by the assailing Power, had never been recognised.

Case 29(b), though not of any importance, presents the rather peculiar instance of a Power, driven by the fear of an act of aggression upon it, to commit an actual sudden aggression upon another Power.

Case 52, again, is a more important instance, almost of the same character, in which Prussia, previously in alliance with England, and receiving subsidies from her, suddenly, in consequence of Napoleon's victories, turned upon England and attacked her.

Case 29(b) would probably not be placed in the same catalogue by a Spanish and by an English historian.

Another class of cases show the misconceptions that may arise between statesmen of different countries as to the nature of the communications which have passed between them. The extreme anxiety which is shown everywhere in the history of modern diplomacy to avoid coarseness or bluntness of expression, the desire not to provoke, which makes it a point of honour delicately to hint at possible or intended war, and combined with this the eager wish, even at the last moment, to arrange terms of reconciliation, has led in several instances to very curious results. Thus in such cases as 53, 54, 77, what has been on one side intended as an ultimatum, to be followed under certain contingencies and after a certain lapse of time by a declaration of war, has been, according to the strength or weakness of the Power receiving it, treated sometimes as an actual declaration of war, and thereupon at once acted upon; sometimes it has been regarded as only a rather more than ordinarily threatening communication, suggesting a more active stage of diplomacy; so that in either event a virtually complete surprise has been effected when hostilities have actually commenced.

Of all these the most interesting and most curious is Lord Palmerston's misunderstanding of the withdrawal of the French Ambassador from London, in 1850 (Case 94). It is abundantly clear that if ever the withdrawal of an ambassador was used as the modern equivalent of a declaration of war, or warning of war, to be followed by acts of hostility without further notice, that withdrawal of the French Ambassador was so regarded by the withdrawing Cabinet, and so understood by the French Senate and House of Representatives to which it was announced. Yet in the most formal manner Lord Palmerston, who had had read to him the despatch recalling the Ambassador, declared that the recall was a purely friendly one.

Now certainly whatever may be the verdict of history as to the character and ability of Lord Palmerston, it will not be possible to declare that he was unversed in diplomatic usage, or that a misunderstanding which occurred when he was at the Foreign Office, in 1850, may not occur to-morrow, no matter who holds the seals of the Foreign Office.

Moreover, as recently as the year 1871, at least a popular misunderstanding in England, as to the recall of an ambassador, again occurred. And though in this instance the mistake lay in supposing hostile intentions where none existed in the mind of the recalling Government, that class of misconception has again and again proved as dangerous a provocation of sudden war as any misunderstanding of the opposite kind. See Note on 1871.

Again, in 1870 (see Case 106), the temporary withdrawal from Paris of the German Ambassador, was actually alleged as the chief occasion of the war on the part of France, though the hostile interpretation put upon the Ambassador's movements was due to a misunderstanding.

Case 94, that of our own mode of dealing with Greece (which led to the withdrawal of the French Ambassador in 1850), and Case 102, are perhaps the best to select as illustrations of a fact again and again presenting itself in these pages, and always involving a risk of sudden war. In the first case, the public opinion of England, as represented in the House of Commons; in the second case, the public opinion of the United States, as it would seem almost unanimously, took one view of a certain series of acts of their own agents; in either instance, so far as such a statement can ever be made, the opinion of the rest of the civilised world was manifestly against, in the one case England, in the other the United States. This incapacity of a people "to see themselves as others see them" makes it possible that at any moment a nation may do some act, in its own view absolutely innocent, which in the judgment of at least some one neighbouring Power, may put that nation out of Court if it attempts remonstrance against any sudden and high-handed act of reprisal. In these instances England may have been right and all the world wrong; the United States may have been right and all Europe wrong. That is nothing to the point here. The danger lies simply in the utter opposition of the views taken by different nations of the nature of certain acts.

Another series of cases affords very striking evidence of the views entertained on these subjects by modern statesmen.

In the first place some doubt naturally arises as to the length of the period of history over which it is worth while to look back in order to "search for precedents." The invasion of Silesia, the commencement of the Seven Years' War, nay even the seizure of democratic Switzerland and other States by the French Republic, or of Spain by Napoleon (if the tradition of which they form a part had not been, as in fact it has been, reinforced by new precedents as recently as the year 1881), might seem to some to be now musty evidence. It is convenient, therefore, to remember that the late leader of the Liberal party in the House of Commons quoted in the year 1836 a series of precedents, from the reign of Queen Elizabeth, as ample justification of any course that this country might think right to pursue in regard to this very matter of hostilities without "war." See Case 80.

For our own enlightenment, also, as to the view which foreign nations are likely to take of their right similarly to apply precedents, it may be convenient to compare with these words of Lord Palmerston's, which at the time represented not only the views of a passing majority of the House of Commons, but also those of the country as a whole, the terribly frank criticism of Sir Robert Peel. See Case 80.

It cannot, however, be said that it is necessary to search into the distant past for precedents of sudden aggression. Out of 107 cases here recorded only 47 occurred during the 100 years from 1700 to 1799.

Sixty have taken place during the 71 years from 1800 to 1870.

Supposing the same proportion continued to the end of the 100 years, as in the first 71 years, the number of the cases which the century would furnish would be 84, to compare with 47 between the beginning of 1700 and the end of 1799.

It does not appear, therefore, that the tendency of progress has been to diminish the frequency of such acts. On the contrary, it may be doubted whether the belief which exists in the custom of grave announcement and warning of war is not really an impression derived from earlier, not from later times, from the dramatic representation of such scenes as those of "Henry V," and other of the historical plays, or from even earlier days, such as those when the Roman Ambassadors offered the choice of peace or war to the assembled Samnites.\*

The change that has come over the dealings of nations with one another in these respects has clearly not been due to any increased treachery of disposition in modern times, but simply to the development of mechanical improvements and the increased facilities of intercommunication. When armies moved by the slow stages by which the Roman legions advanced, the whole progress of war was cumbrous, and a solemn announcement of coming war was part of the laboured programme. But in modern times, the development of roads, railways, telegraphs, and other means of communication, of supplies, food, clothing, and of general wealth, the facility with which physical obstacles can now be overcome, the perfect knowledge of ground furnished by good maps, have made sudden enterprises incomparably more easy than they were in earlier times, very much more easy in the 19th century than in the 18th, and hence these surprises have in the latest century followed one another with greater rapidity than ever before.

See Case 84.

To return to the opinions of statesmen. Baron Brunnow's advice to the representatives of Europe in 1840 to act with secrecy "because the blow must first be struck before it is announced," accepted as that advice virtually was by the plenipotentiaries of England, Austria, and Prussia, would no doubt be specially suggestive were it not that the only Great Power not represented on that occasion—France—had in 1823, under the ostentatiously pious rule of the restored Bourbons, supplied in the debates of the French Chambers an even more telling lesson of the views of popular assemblies and of eminent statesmen.

See Case 67.

See p. 48, last par.

Canning's view of the wide border land of hostilities which rightfully exists between peace and war must necessarily seem tame after these references; but though the acts of designed surprise during peace are more striking, and in some ways more important, than those other cases in which countries have glided into war almost by imperceptible stages, yet these latter and such opinions as those of Canning have this gravity, that they all tend to show how unreal is that conception of a solemn period of pause and preparation prior to which no hostilities occur, and subsequent to the ample warning of which war in all its fierceness begins. The moment that—what Mr. Kinglake calls the "old barriers" between peace and war—are broken down, it becomes simply a question for the determination of the statesmen of one of the two countries concerned when the moment has arrived for

---

\* It is rather curious that Count Garden, in his "Traité Complet de Diplomatie," notices the change of *form* which he says took place about the middle of the 17th century, when the Roman habit of declaring war by heralds was given up, but speaks of the "much more useful" system of proclamations and formal justifications "communicated to foreign Courts"—apparently, that is, not, except incidentally, to the hostile Power, but to the neutral Powers. He does not notice that this changes the whole principle of giving warning.

striking a deadly blow. As has been seen in many cases, the nation upon whom the aggression falls may have been looking upon things in so entirely different a light that it may not dream of the necessity for expecting attack.

One other point must be dwelt upon in regard to these quasi-diplomatic questions. What is a declaration of war?

Mr. McCarthy has given a lively account of the declaration of war by England in 1854. Vol. II, p. 276.

"The die was cast. \* \* \* A few days after a crowd assembled in front of the Royal Exchange to watch the performance of a ceremonial that had been little known to the living generation. The Sergeant-at-Arms, accompanied by some of the officials of the City, read from the steps of the Royal Exchange Her Majesty's declaration of war against Russia."

In this case a solemn declaration of war, though preceded by many acts of hostility, was made. But where was it made? *On the steps of the Royal Exchange in London.* No doubt in these days, so far as the information conveyed to the Court of the Czar is concerned, it does not much matter whether the announcement is made in London or St. Petersburg. No doubt it would be much more difficult now, than the United States found it in 1812, to cut off all communication between England and any other country in the world, but as showing the sense of the obligation implied in the fact of the issue of a declaration, the matter is of very great importance. A declaration of war against a foreign Power, delivered from the steps of the Exchange, is in form an explanation to the English people of the circumstance, that have led to war, and of the necessary consequences. It is not in form a warning to the threatened Power that war is about to break upon it.

See Case 63.  
(In 1812 the States kept England for a full month in ignorance that they had declared war.)

Moreover, the wording of most "declarations of war" shows clearly that they are intended formally to require the subjects of the declaring nation to aid the war, and are not intended as a warning to the Power declared against.

In practice it will be found that historians frequently use the expression "such and such a country *declared war*" as a convenient mode of stating the fact that war was commenced. In very many of the cases here cited, not any form of words whatever, but some specific act such as the crossing of the Ticino, the refusal of a Governor of a fortress to allow his fortress to be approached, the violation of territory, a neutral Power permitting troops to pass through its land, &c., &c., has been treated as a "declaration of war."

In only the single instance of 1870 is there a case of notice formally sent to the Court of the assailed Power prior to hostilities on the part of any one of the contending Powers.

This point comes out, however, yet more strikingly in Cases 63 and 88, which illustrate the mode in which the United States deals with this matter. For, the United States having a written Constitution elaborately designed by great Jurists, to provide in a precise manner for all contingencies of the kind, and the different functions of the several powers of the State being in that Constitution accurately defined, here if anywhere, provision ought to be made for that formal and courteous crossing of swords and retirements to their respective grounds of the combatants, which it appears to be assumed that, following the laws of the duel, great nations usually carry out before commencing war.

In the United States' Constitution, the power and right "to declare war" is reserved to the Congress. It may be thought that such a provision precludes the possibility of the States ever commencing a war by surprise. In fact no State has ever so avowedly

formally and publicly sanctioned surprise. The form of the "declaration of war" is the vote "that a state of war actually exists between the United States and" such and such a Power. It acknowledges the fact of preceeding acts of hostility, and therefore places the power of the States at the disposal of the Executive for the purpose of war.

There is another term which, little as it may seem to do so, needs careful attention—"What is Peace?"

In England and in the United States alone, of all the countries whose acts are here recorded, *Peace reigns*.

On the Continent everywhere all the ordinary domestic conditions of life are adapted to the fact that national existence and security are the first objects of the State. The sentries at all the fortresses go on guard with loaded rifles. All the ground round all the fortresses is under military authority; so little regard is paid to the value of individual life that only the other day in Germany a sentry shot some children for neglecting to obey his orders, and not only escaped without punishment, but was said to have performed his duty. In England peace means that all the questions as to what is necessary to be done in the environs of all forts to keep them in a condition ready for war are subject to the determination of the local Alderman's Court. In England if a civilian or a foreigner in civil clothes who would in his own country be called to the army the moment war breaks out, and who is a trained soldier, trespasses within ground under the charge of a sentry, and refuses to move, it is necessary for the sentry to call in the aid of civil police, otherwise he is liable to exemplary and exceptional damages, which he has good reason to believe\* that a jury will assess against him to the utmost farthing. These are only small illustrations of the mode in England in which public opinion is brought to bear upon any soldier who attempts to carry out the precautions which on the Continent he would be regarded as criminal for neglecting.

It is necessary, before proceeding to the next branch of the subject, viz., those cases in which forts and fortresses have been actually captured on the first outbreak of war in consequence of the sudden surprise effected during "profound peace," to press home this contrast between "peace" in England and elsewhere. It will be noticed that the two words "profound peace" are the commonplace of diplomatic complaint. Again and again the charge recurs that such and such acts of hostility have been begun during "profound peace." But the profoundest peace in which the Continent ever lives does not present the equivalent of English placid security.

Nevertheless, though foreign life is hampered by the perpetual condition of wakefulness of war, here are thirty instances (viz., Cases 2, 3, 10, 11, 14, 22, 23, 26, 30, 32, 33, 34, 35, 36, 37, 39, 42, 44, 45, 47, 49, 50, 54, 55, 56, 57, 58, 65, 78, 84) in which forts and fortresses have been seized in consequence of the sudden outbreak of war.

No doubt the time occupied in the seizure has varied much, as has

---

\* The most important case of this kind, which was tried at Maidstone Assizes before Chief Baron Pollock in 1849, was, by the advice of the Chief Baron, stopped before it even went to a jury. Including the expenses the officer had to pay damages amounting to £600. The sole ground of this was that a file of the guard had been employed to remove an obstreperous civilian from Government land without removing their side-arms. The case is further remarkable from the fact that the officer had taken legal advice before venturing to employ the soldiers. So fully is the principle of this decision recognised that the sentries who mount over Her Majesty's palaces have orders on no account to stir a finger if any one attempts to disobey their orders, but instantly to call a policeman.

also the mode of seizure. By every kind of artifice (for the most perfect instances of which see Case 58) great fortresses have been occupied almost without a blow being struck, whilst peace and alliance prevailed. Others have been surrounded, isolated, and made to capitulate in a few days, others in as many hours, others by instant and sudden occupation.

There is scarcely any time so brief but that some fort has been seized within it. Moreover, before referring to the detail within, it will be convenient to remember that what are usually called "forts" are places of the nature of the citadel of Dover, or the fort on the Western heights. The great *fortress* of Metz is surrounded by many works of such character as these. Mont Valerien, a single one among the "forts" surrounding Paris, is a far more perfect isolated and independent fortress than either Dover citadel or "The Western Heights."

If it seems to any one who reads this paper that it almost assumes the form of an attack upon the national morality of the modern civilised world, it must be remembered that that is by no means the aspect under which these transactions have presented themselves to the several statesmen and nations who have been concerned in them. We ourselves as a nation sympathised heartily in the hostilities without war by which Garibaldi broke up old kingdoms and created a new one, and in the final acceptance and approval of his work by Cavour. Surely the sympathisers did not think that they were applauding wrongdoing.

It is abundantly clear that we appear before Europe in this instance and in others as having sanctioned the principle that in national affairs the end justifies the means. It is in common fairness necessary to remember that so also in 1823 the French Chambers and M. de Vilèlle believed that the "bands of the faith" in Spain were warring in a cause so sacred that all means were just which contributed to their success.

So also whatever steps in advance Russia has taken have excited the pious enthusiasm of her people, because among them Russia and all that belongs to her is "holy." So also when the Prussian, or when the subject of Maria Theresa has moved forward in behalf of King and Fatherland, the cause and not the date of the delivery of musty parchments has seemed to him important, and has inspired his devotion. Surely we have heard too often from many quarters the cry that the Treaties of Vienna, of Paris, and all others have grown old and stale, to be able now absolutely to trust to parchment guarantees, and the parchment or rather tissue-paper line of demarcation which separates peace from war. In any case, whatever be the effect of the following record, it must be remembered that in almost all cases where the summary is anything but a brief dry statement of naked facts with references to authority in the margin, the words supplied are those of official documents accessible in every library in London. The enforcement, the application of them, lies in those words of Sir Robert Peel, the last which he ever spoke in the House of Commons, in which he warned his countrymen that their sympathies do not alter facts, that the sympathies of others are as strong as their own, and may at any moment lead them into acts which, however much they may startle Englishmen, will appear to the actors to be merited by our doings.\*

---

\* Hansard, 3rd series, Vol. CXII, pp. 690, 691. The speech is almost in the same terms as the one given in Case LXXX, p. 54, at foot. The speech of 1850 is one which, from its circumstances, has, however, become the more famous.

## 1700 to 1798.

---

### CASE I.

1700.  
War against  
Charles XII.  
Cust's Annals of  
the Wars of the  
XVIIIth Cen-  
tury, Vol. I, p. 2, 3.  
Action of Poland  
and Saxony.

Action of  
England.

The year 1700\* opened with a peace so profound that the English army was reduced to a merely nominal figure.

Yet, on March 12th, 1700, "without any public declaration of war, 40,000 Saxons, under General Fleming, suddenly sat down before Riga," then belonging to Sweden, "and summoned the Count Von Dahlberg, who commanded in the place for the King of Sweden."†

There had been no declaration of war between Sweden and Denmark, or between England and Denmark. Yet on the 20th of July, Sir George Rooke, "the English Admiral, arrived before Copenhagen and immediately bombarded the fleet under the castle." The object of this rapid movement was fully secured by the Treaty of Travendahl, which forced Denmark to detach herself from the alliance of Poland, Russia, and Saxony.

Action of Russia.

Before the battle of Narva, Russia had declared war; but all her earlier military movements were made without notice,‡ and the advance of the Saxon and Polish troops had taken place without any declaration under agreement with Russia.

---

### CASE II.

Spanish succe-  
sion war.  
Action of France.

Surprise in peace  
of Dutch  
fortresses.

Cust (as above),  
p. 5.

Smollett, Vol. I,  
pp. 391, 392.

The second war of the century was that of the Spanish succession.

On the 11th February, 1700, a solemn treaty had been signed in London, binding Louis XIV to acknowledge the Archduke Charles as King of Spain. Yet in December, 1700, by a secret arrangement with the Duke of Bavaria, the Governor of the Netherlands for the King of Spain, French troops arrived by night simultaneously before Luxembourg, Namur, and Mons. "By these means the French king got the start of his enemies in obtaining possession of all the strongest places in Spanish Flanders. The States General were overwhelmed with consternation when they heard of this event.§ They saw their own exposed situation, and reflected how readily these troops might fall upon them before they were prepared for their defence. They therefore resolved to acknowledge the young King of Spain," i.e., Louis XIV's grandson, "and to take back their battalions to Holland."¶

---

\* The year 1700 does not of course properly belong to the XVIIIth Century, but as the first of the wars of the century commenced in that year, it is convenient to include it.

† Voltaire's "Histoire de Charles XII," "Une invasion soudaine, sans même daigner recourir d'abord à la vaine formalité des déclarations de guerre et des manifestes," p. 48.

‡ See a telling passage in Voltaire, p. 71.

§ Voltaire, "Siècle de Louis XIV," p. 463, skims very lightly over these facts.

¶ Macaulay's History just stops short of this point; but on p. 99, Vol. V, edition of 1861, will be found a telling passage and note as to the nature of the obligations which Louis XIV broke in fighting for his grandson.

No declaration of war had yet taken place, but, "on the 28th July, 1701, Marshal Catinat, with a French corps d'armée, took possession of all the Alpine passes, and descended into Lombardy. He immediately advanced to guard the passes by which the Imperialist troops could enter from the side of the Tyrol."

Eugene similarly, before war was declared, attacked the French position at Carpi.

1701.  
Cust, Vol. I, p. 6.  
Action of France  
Seizure in peace  
of Alpine passes.

Voltaire, p. 479;  
compare p. 478,  
2nd paragraph.  
Smollett, Vol. I,  
p. 423.

### CASE III.

Prince Eugene, in the end of the season of 1701, as soon as the French army had gone into winter quarters, seized, without declaration of war, Canneto and other places in the territory of Mantua, in order to establish himself, with his army in good winter quarters (which were indispensable to him) in the territories of Guastalla, Parma, and Modena, in open defiance of their neutral rulers.

Cust (as above),  
p. 7.  
Action of  
Austria.  
Successful sur-  
prise of fortresses  
of neutral  
Powers.

### CASE IV.

Throughout 1701 a naval war was carried on by England and Holland against France, but it was not till *the 4th May*, 1702, that a formal declaration of war was made by the Emperor of Germany, England, and the States General against France.\*

At the time war was declared, the troops of the States General were engaged in the actual siege of Kaiserswaert, in which they had been employed for a whole month previously.

Warfare without  
avowal by Eng-  
land and France.

Cust (as above),  
p. 12.

Dutch commence  
Siege of Kaisers-  
waert without  
warning.

Confer Smollett,  
Vol. I, pp. 425,  
440, 452, 459.

Dyer, Vol. III,  
p. 180.

### CASE V.

All Europe being at war from 1702 to 1708, no opportunities for seizing advantages, without declaring war, presented themselves. But in 1708 the Pope was added to the number of Powers which, by their example, sanctioned these transactions.

Without declaring war upon Germany, but being annoyed by the Emperor's having stopped money formerly sent to Rome from Naples, the Pope attacked by surprise a body of Imperial troops, and ordered them to be cut to pieces with great barbarity.

1708.  
Action of the  
Pope.

Smollett, Vol. II,  
pp. 452, 153.

Cust (as above),  
p. 94.

### CASE VI. (1708.)

The English fleet suddenly appeared at Civita Vecchia, in revenge for the Pope's countenance of the Pretender, and by surprise dictated terms to the Pope, who was forced by an almost equally sudden movement of the Duke of Savoy, combined with our naval expedition,

Cust (as above),  
p. 94.

Action of Eng-  
land and Austria  
Smollett  
(as above).

\* "Hansard's Parliamentary History," Vol. VI, p. 16, gives the text of the English declaration, reciting the prior acts of hostility by France. The form is also interesting, as it shows clearly that it was not intended as a warning of war.

to disband his levies and accept the Archduke Charles, as King of Spain.

---

### CASE VII. (1714.)

Cust (as above),  
pp. 139 and 142.  
Dyer, Vol. III,  
p. 301.

Turks by sudden invasion and surprise seize from Venice the Morea without declaration of war.

---

### CASE VIII. (1715.)

England in peace  
seizes Swedish  
provinces.  
Mahon, Vol. I,  
pp. 337, 338.

Duchies of Brehmen and Verden seized by England for Hanover. These provinces were Swedish. Sir John Norris's fleet was employed to prevent troops from Sweden interfering with the seizure.

---

### CASE IX.

1716.  
Secret treaties  
for invasion and  
destruction of  
England.

Mahon, Vol. I,  
pp. 387, 389.

In 1716, England was only saved from a secret coalition of Sweden, Russia, and other Powers by Lord Stanhope's sudden seizure of the papers of the Swedish Ambassador.\*

---

### CASE X.

1717.  
Cust (as above),  
pp. 154, 155.  
Action of Spain.  
Surprise, during  
peace, of for-  
tresses of  
Sardinia.

"In August," 1717, during peace time, "an armament of 12 ships-of-war, carrying 9,000 men, left Barcelona secretly, and steered for Sardinia. Cagliari, the capital, was defended by the Austrian governor, the Marquis of Rubi, who found himself suddenly besieged, and obliged to surrender to the Spaniards; in two months afterwards the whole island which belonged to the Emperor, acknowledged the domination of the Catholic King."

As to the complete ignorance of all Europe as to the destination of the fleet till it attacked, see Mahon, Vol. I, pp. 429, 430.

---

### CASE XI.

1718;  
Cust (as above),  
pp. 156 and 161.  
Mahon, Vol. I,  
p. 457, &c.  
Spain during  
peace seizes  
Messina.

No declaration of war took place after this between Spain and Austria, or between England and Spain, till the beginning of 1719.

But whilst peace nominally subsisted between all these Powers—

(a) Spain, by a powerful expedition secretly prepared, seized Messina and the greater part of Sicily.

(b) On the 11th August, 1718 (six months before any declaration of war), Byng destroyed the Spanish fleet.

"The destruction of the Spanish fleet at the battle of Passaro was a subject that employed the deliberations and conjectures of all the

---

Cust (as above),  
p. 158.

\* The league was revived in 1718, and the death of Charles XII alone prevented an actual descent upon England.—Mahon, Vol. I, pp. 477, 478.

politicians in Europe. Admiral Byng not only had no declaration of war against Spain to justify him, but he openly declared that the destruction of the Spanish fleet was not to be interpreted into such a declaration; his instructions, however, were positive; and, fortunately for him, there happened no ministerial change at home to tarnish his laurels by representing it as an 'untoward event.' '\*

Action of  
England.  
Destruction of  
Spanish fleet  
"not a declara-  
tion of war."

---

#### CASE A.

The first case in the eighteenth century, where declaration preceded war, was in 1719, when France joined England in the war against Spain, which had commenced by Byng's destruction of the Spanish fleet, but even in this case Spain had long prior to the declaration been doing her utmost to foment, aid, and carry on hostilities in France (Mahon, Vol. I, *passim*).

1719.  
Cust, Vol. I,  
p. 162.

---

#### CASE XII.

In 1725 a secret treaty was made at Vienna between Spain and the Emperor, which was met by the "Treaty of Hanover" between France, Prussia, and England.

1725.  
Mahon, Vol. II,  
p. 123.

In 1726, in consequence of these treaties, but without declaration of war, "a British squadron, under Admiral Hosier, was sent to the West Indies, and blockaded Porto-Bello. Admiral Wager, with another squadron, sailed for the Baltic to pursue the same system which, in 1719, Stanhope had formed and Norris executed, and which had been defined 'to drive the Muscovites as far off as possible.' In the latter case, however, as in the former, a strong resolution rendered unnecessary strong measures. The very appearance of Wager's fleet off Revel brought round the Russians to a more pacific temper."—Mahon, Vol. II, p. 156.

1726.  
Dyer, Vol. III,  
p. 312.

Hosier was less fortunate in the West Indies, and it is noteworthy that the well-known political squib, entitled "Admiral Hosier's Ghost," which begins,—

"As near Porto-Bello lying  
On the gently swelling flood,  
At midnight with streamers flying  
Our triumphant navy rode,—"

is virtually a complaint that Hosier was not allowed, before war had been declared, to act with greater vigour than he did in merely blockading Porto-Bello.

In 1727, Spain, still at nominal *peace* with England, laid siege to Gibraltar from February 11th to June 23rd. Meantime an English fleet, under Sir Charles Wager, lay off Spain to surprise Spanish galleons. Spanish cruisers, throughout the next year, preyed on English commerce.

1727. '  
Spain besieges  
Gibraltar without  
declaring war.

Cust, Vol. I,  
p. 188  
Spanish fleet,  
without declara-  
tion, preys on  
English com-  
merce.

The Treaty of Seville brought these struggles to an end in 1729.

---

\* In 1719, without declaration of war, but wishing to save Sweden from destruction, Stanhope sent orders to Admiral Norris, "to treat the Russian fleet as Byng had the Spanish." Russia, however, escaped the fate of Spain by withdrawing before Norris and signing a treaty with Sweden. (Mahon, Vol. I, pp. 528, 529.)

Smollett, Vol. II,  
pp. 476-481.

## CASE XIII.

1733.  
Russia invades  
Poland, disap-  
proving of  
elected king,  
without declara-  
tion. Spain and  
France follow  
suit.  
Dyer, Vol. III,  
pp. 319-322.

In 1733 the Russian army entered Poland instantly on the election of Stanislaus; no declaration of war having anticipated the movement.

This was the signal for a general war. The united armies of Spain and France, "suddenly bursting into the Milanese, overran the whole of Austrian Lombardy." (Mahon, Vol. II, p. 259.) Kehl was captured the day before war was declared by France.

## CASE XIV.

1739.  
Reprisals precede  
war between  
Spain and  
England.  
Cust, Vol. II,  
p. 2.  
Dutch treaty not  
kept.  
Mahon, Vol. III,  
pp. 15 and 16,  
and 28, 31;  
later editions,  
Chap. XX, Vol.  
II.

On the 19th October, 1739, war was declared by England against Spain. It had been preceded by months of private reprisals on each side, and, as early as July, 1739, orders had been given for national reprisals.

The Dutch were bound by treaty to supply us with auxiliary troops; but, persuaded by France, they did not fulfil the treaty, and we obtained assistance from Denmark by a fresh agreement, she not being bound to us by previous treaty.

NOTE.—The matter is of scarcely sufficient importance to be separately stated, but our agreement with Denmark had been preceded by an aggression by Denmark against Steinhorst, a Hanoverian fortress.

## CASE XV (1st SILESIAN WAR).

The most scathing pages that could be imagined for all lovers of parchment security for national life and honour, are the whole series in Carlyle's "Frederick," from page 131 to page 155, &c., of Vol. III.

1740.  
Carlyle's Frede-  
rick, Vol. III,  
p. 129.

On 25th October, 1740, Frederick received the news of the death of Charles VI, and of the accession of Maria Theresa, who claimed all her father's territories under the authority of the Pragmatic Sanction solemnly signed by the Kings of England, France, Denmark, &c., &c.

P. 131.

On the moment of receipt, being then in bed and laid up with gout, Frederick orders his secretary to be ready in a few minutes. As soon as he can despatch them he sends orders for Schwerin, his General, and Podewils, his Minister, and communicates to them his resolution to seize Silesia.

P. 142.

"What low condition Austria stands in, all its ready resources run to the lees, is known; and that France " "is on the watch to bring Austria lower: capable, in spite of 'Pragmatic Sanction,' to snatch the golden moment, and spring, hunter-like, on a moribund Austria." "To Frederick it seems unlikely that Pragmatic Sanction will be a law of nature to mankind in these circumstances." " 'Pragmatic Sanction' going to waste sheepskin, and universal scramble ensuing? In which he who has 100,000 good soldiers, and can handle them, may be an important figure in urging claims, and keeping what he has got hold of."

P. 143.

Pp. 141-149.

For seven weeks the preparations go on, no one able to know what is intended, but every effort being made, by Frederick to complete his preparations for delivering the blow before he announces his purpose, by the Austrians and others in vain to find out what he intends.

The advantages and motives of the scheme all turning on the opportunity presented by the momentary weakness of Austria and readiness of Prussia are set forth by the King himself.

1740.  
Carlyle's Frederick,  
Vol. III,  
p. 152.

On the 11th December, the King, for the first time, tells plainly Botha, the Austrian Ambassador, what he is going to do, and the terms which, at the same moment, the Prussian Ambassador is authorised to propose at Vienna. On December 12th, the following day, a ball takes place at the palace during which all the final orders are given. Frederick starts for his army at 9 A.M. on December 13th, no declaration of war whatever having been made, and his occupation of the provinces of Silesia being in name a peaceful one, provided the Empress will accept the terms he dictates. Nevertheless, a day or two before joining his troops, already on the frontier, he had told his Generals that they were going to fight with the Austrian army.

P. 158.

During all this time, till Silesia had been "seized," Maria Theresa and her Ministers, with no preparation, "lean at ease upon the sea-powers, upon Pragmatic Sanction, and other laws of nature."

P. 159.

P. 155.

To put the case shortly, in regard to the value of the most solemn treaty which the German Emperor could devise for the security of his daughter's dominions, and to which Spain, England, France, Prussia, and Russia were pledged.

Summary of  
course of action  
of guaranteeing  
Powers.

Maria Theresa's "hopes of assistance against the unjust pretensions of Prussia were sadly and sorely disappointed; promises, indeed, poured in from every quarter, but not a single man was despatched, nor a single florin remitted to her aid," by any continental Power.

Cust, Vol. II,  
p. 8.

In a short time France and Spain, and other of the signatory Powers, were arrayed AGAINST Maria Theresa. England, after voting a subsidy and preparing to assist Maria Theresa, acted as intermediary to the Peace of Breslau, by which the occupied provinces were ceded to Prussia. Sweden and Russia, two other of the guaranteeing Powers, were by French intrigue engaged in war with one another.

Of the signatory  
Powers, France,  
Spain, and others  
attack Maria  
Theresa.

## CASE XVI. (1741.)

"In the Mediterranean 12 ships-of-war from Toulon suddenly appeared on the side of the Spaniards, and although there was as yet no war with France, the commander declared that he had orders to defend the Spaniards if attacked. Admiral Haddock accordingly retired before them; for the united ships of the two squadrons doubled his own fleet.

1741.  
Cust (as above),  
Vol. II, p. 14.  
Action of France.

"In the month of July, two of Haddock's men-of-war falling in with three belonging to the French, Captain Barnet, supposing them to be Spanish register ships laden with treasure from the West Indies, fired a shot to bring them to, which the Chevalier de Caylus, who commanded them, returned with a broadside. A sharp engagement ensued, and after they had fought for two hours, the French commander, who had lost one of his captains and a considerable number of men, determined to cease firing and come to an explanation, when he and Barnet parted with mutual apologies."

Fleet (though  
at peace with  
England) joins  
in naval fight  
against us.

See Smollett.  
Vol. III, p. 69,  
and p. 70, note.

Long fight be-  
tween French  
and English  
ending in  
"apologies."

## CASE XVII.

1741.  
Smollett, Vol. III,  
pp. 55 and 56.

Cust (as above),  
Vol. II, p. 15.

Another long  
naval battle  
during peace  
between English  
and French  
ending in  
"apologies."

In 1741 an English fleet had been sent to attack the Spaniards in the West Indies. "As the fleet sailed along the Island of Hispaniola, on its way to Jamaica, four large ships-of-war were discovered, and Commander Lord Augustus Fitzoy was detached with an equal number of the squadron to give chase. As they refused to bring to the Commander saluted them with a broadside, and a smart engagement followed. After fighting for the best part of the night, the enemy in the morning proved to be part of the French squadron which had sailed from Europe under the command of the Marquis d'Antin, with orders to assist the Spanish Admiral, De Torres. Both sides accordingly desisted, and apologised, war not having been declared between the Courts of London and Versailles."

## CASE XVIII.

1742.  
Smollett, Vol. III,  
p. 93.

Cust, Vol. II,  
pp. 27 and 28.

Action of Eng-  
land.

Destruction of  
enemy's ships in  
neutral port.

Without declara-  
tion, Naples, by  
action of English  
Admiral, is  
forced to become  
neutral.

See also Mahon,  
Vol. III, pp. 229  
to 231 (195, 196).

In 1742 we were still at war with Spain; and on the mainland of Italy, Naples was acting in alliance with Spain against Austria, but we had not declared war against Naples, and we were not at war with France.

In that year Vice-Admiral Matthews was commissioned as Commander-in-Chief in the Mediterranean, with full powers to treat with all the Princes and States of Italy as British Minister.

"Immediately after taking the command, he ordered Captain Norris to burn and destroy five Spanish galleys at St. Tropez, in spite of the French flag. The burning of the ships of an enemy in a neutral port was an unheard of outrage; but, in fact, the French flag had so often been allowed to save Spanish ships that it was thought right to deprive it of all pretext of neutrality. In May Matthews detached Commodore Rowley with eight sail to cruise off the harbour of Toulon, and he captured a great number of merchant ships. In the month of August, to keep Don Carlos in check, the Admiral sent Commodore Martin in the 'Ipswich,' with five ships of the line, to the Bay of Naples, with orders to bombard that city, if the King would not withdraw his troops from the Spanish army, and sign a promise that he would not act in concert with them during the war. Martin, a decided sailor of the old stamp, sailed on the 4th of August right into the bay without firing a salute, and sent in his terms. Don Carlos and his Court were thrown into consternation, for no such bold stroke was expected, and the city was without defence, indeed almost without a garrison. The Neapolitan meanly endeavoured to gain time, and sent the Duke de Montecallegre as plenipotentiary to negotiate. Martin received the Minister with respect and civility, but took out his watch and had it fixed to the mainmast. He then told him that in two hours' time he would begin the bombardment, if the King delayed to give him the proposed satisfaction. The King, upon hearing this, submitted to the conditions; the promise of neutrality required of him was immediately signed, and he sent a letter to his General, the Duke of Castropegnano, commanding him to leave the Spanish army and return home with the Neapolitan troops forthwith."

## CASE XIX.

The battle of Dettingen was fought on June 27th, 1743. At that time there had been no declaration of war between England and France. It was not till 20th March, 1744, that France declared war upon England. Yet the King of England commanded at Dettingen, the victory was won by English troops over French troops, and Handel's *Te Deum* was chanted in St. Paul's for the victory. As Cust puts it—"France and Great Britain, with their armies confronted, were in a singularly embarrassing state, since both countries professed to act merely as auxiliaries to their respective allies, and no declaration of war had been made by either. Indeed, there was *at this moment a British Minister at Paris and a French Minister in London.*" Horace Walpole put it: "We have the name of war with Spain without the thing, and war with France without the name." (Mahon, as above.)

1743.  
Battle of Dettingen fought between English and French troops without declared war.

Mahon, Vol. III, p. 251, &c.  
(or p. 216, &c.)  
Cust, Vol. II, p. 31.

## CASE XX.

On the 24th February, 1744 (a month before a declaration of war), a French Admiral, with 18 or 20 ships of the line, and 4,000 troops on board under the command of Marshal Saxe, anchored off Dungeness. An English cruiser running into Plymouth fortunately had brought news to the Admiralty.

The expedition failed from unsuitable weather, the sailing vessels having been becalmed off Dungeness.

1744.  
Action of France. Attempt to invade England without declaration of war.

Smollett, Vol. III, pp. 122 to 125.  
Mahon, Vol. III, pp. 294 to 296.  
(or p. 261, &c.)

## CASE XXI.

In April, 1744, England was at peace with Genoa, but, in alliance with Austria, at war with France and Spain. Admiral Matthews was Commander-in-Chief in the Mediterranean, and held a general "Commissionership-in-Chief," as it would now be called, towards the various States of Italy. In April a French army threatened to pass through Genoese territory. Admiral Matthews immediately informed the Genoese Government that if French troops were allowed to pass he should consider this an act of war, and should at once commence hostilities. A little earlier Matthews had similarly dictated terms to neutral Rome, and had on another occasion, in 1743, dictated terms to Genoa as he did in 1744.

Cust, Vol. II, pp. 48 and 49.

Smollett, Vol. III, p. 140.

Action of English Admiral and Commissioner.

Threatens at once to commence hostilities.

Smollett, Vol. III, pp. 114, 115.

## CASE XXII.

On the 9th August, 1744, the situation of affairs was as follows:—

Maria Theresa, supported by England and trusting to the peace with Prussia, which, under the auspices of England, had been contracted at Breslau (on the 11th June, 1742), had pushed her victorious armies into the heart of Alsace, and was on the point of invading Lorraine. In order to do so, however, it had been necessary to denude of troops all Bohemia, and the Austrian dominions between Berlin and Vienna.

Action of Prussia.

Cust (as above) Vol. II, p. 54.

Longman's Frederick, p. 56.

1744.  
Sudden invasion  
of Saxony and  
Bohemia. No  
declaration of  
war.

On that day (August 9th, 1744) Frederick issued a proclamation. He did not *declare war* against Austria, but he *announced his intention* of sending an auxiliary army to the aid of Maria Theresa's enemies. He simultaneously invaded Saxony. He marched into Bohemia, seized Prague on September 6th, capturing 15,000 men. Vienna was only saved by the prompt return of the Austrian army from Alsace, and by the neglect of the French to fulfil their promises to Frederick (made in a secret treaty of May 13th, 1744) to vigorously press the retreating Austrians.

### CASE XXIII.

Action of France,  
Mahon, Vol. III,  
p. 525 (494).

Cust, Vol. II,  
pp. 115 and 116.

Smollett, Vol. III,  
p. 208.

Sudden invasion  
of Holland.

On the 16th April, 1747, the French army, having conquered the Austrian Netherlands, invaded at once the territory of the States General, though the French Minister was still at the Hague. The Minister simultaneously with the invasion presented a memorial, saying that this was only a necessity forced by circumstances on the French: that they only took the various fortresses and citadels as a pledge. Sluys, Sas-van-Ghent, Perle, and Leifkenshoek, Hulst, Axel, and Terneuse were seized.

The fact that negotiations were going on all the time gave colour to the statements of the French Commanders, that the invasion was made with the assent of the States General. The places were successively yielded, and revolution followed. The French secured all the advantages of this sudden attack.

### CASE XXIV.

Oct., 1748.  
Longman's Frederick,  
p. 61.

Hostilities between  
England and France in  
America, each  
charging the  
other with  
breach of "the  
law of nations."

Mahon, Vol. IV,  
p. 65.

Smollett's History  
of England,  
Vol. III, p. 489.

The Peace of Aix-la-Chapelle was concluded between England, France and the other Powers, in October, 1748.

But in America, France and England put forth hostile claims to territories, and in 1754, without any declaration of war or notice, fighting commenced between English and Virginian troops on the one hand, and French on the other.

Washington was defeated at Great Meadows, in the Ohio Valley, on July 3rd, 1754.

Amongst other incidents common on both sides during "profound peace," Jamonville and his detachment was "attacked and massacred by the English without the least provocation."

### CASE XXV. (1755.)

1755.  
Cust, Vol. II,  
p. 157.

"At length undoubted information transpired that a powerful armament destined for North America was ready to sail from Brest and Rochefort, to be commanded by M. Bois de la Mothe, and to consist of 25 ships of the line, with some frigates to convoy a fleet of transports, on which was to be a land force, with sufficient artillery, stores, and camp equipage for the prosecution of an offensive campaign. A force of 4,000 men was to be embarked in it, com-

manded by Baron de Dieskau, with the Marquis de Vaudreuil and the Marquis de Montcalm under him. In the month of March Ministers frankly announced to Parliament that a war with France had become inevitable. Admiral Boscawen was deemed the most proper person to watch so enterprising an enemy, and he accordingly sailed on the 27th of April towards the Gulf of St. Lawrence to intercept the French squadron, with 11 ships of the line and one frigate, having two regiments of land forces on board."

Boscawen—no war being yet declared—captured two French ships.

"The news of this action," says Cust, "animated the English nation," but the French complained that without any previous declaration of war, we had acted "in contempt of the law of nations, the faith of treaties, and the usages established among civilised nations."

We replied that "His Majesty had taken no steps but such as were rendered just and indispensable by the hostilities which the French began in time of profound peace, and a proper regard for his own honour, the rights and possessions of his Crown, and the security of his kingdoms."

The following extract from Lord Mahon's history is too graphic to be omitted:—"The Duke of Newcastle, trimming and trembling as was ever his wont, thought only of keeping off the storm as long as possible, and of shifting the responsibility from himself. Thus he gave his opinion that Hawke should for the present have no instructions at all, and merely take a turn in the Channel to exercise the fleet. Another time he said that the Admiral might be ordered 'not to attack the enemy unless he thought it worth while.' 'Be assured,' said Fox, 'that Hawke is too wise a man to do anything at all, which others, when done, are to pronounce he ought to be hanged for.' At length, as a kind of compromise, it was agreed that there should be no declaration of war; that our fleet should attack the French ships of the line, if it fell in with any, but by no means disturb any smaller men-of-war, or any vessels engaged in trade."

No war, but capture of two French ships.

French view of English action.

Cust (as above), Vol. II, p. 158.

Smollett, Vol. III, pp. 488, 489.

English view of French action.

Mahon, Vol. IV, p. 71.

## CASE XXVI. (1756.)

Following upon these hostilities in America, a large force of troops was gathered along the northern coast of France ostentatiously to threaten invasion. A panic in England was the result, but "On April 10th, 1756, a large armament with 16,000 troops on board, sailed from Toulon for the conquest of Minorca. Though the English ministers had received intimation of the preparation of this expedition months before, they persisted in regarding it as a mere feint, and did not strengthen the garrison of Port Mahon, which was far too weak for the defence of the island."

Longman's Frederick, p. 77.

No "war" but fear of invasion produces panic in England.

Minorca is seized (without declaring war) by France.

It was not till a month later that, on May 17th, England declared war on France, or till June 9th, *after* a naval engagement on May 28th, and when the siege of St. Philips was well advanced, that France declared war.

1756.  
Date of declaration of war.

Mahon, Vol. IV, p. 94, &c.

It is interesting to remember that the famous "Judicial Murder of Admiral Byng" was due to the success with which the French had, in this instance, anticipated the warlike action of a careless English Cabinet; while the creation of the Torrington peerage rewarded the

Execution of Admiral Byng, and Torrington peerage.

success with which another Admiral Byng had anticipated a declaration of war. In either case the popular voice was even louder than the ministerial, in awarding censure or applause.

### CASE XXVII. (SEVEN YEARS' WAR).

1756.  
Commencement  
of Seven Years'  
War.

Action of  
Prussia.

Secret movement  
to frontier.

Carlyle, Vol. IV;  
p. 543.

Cust, Vol. II,  
p. 174.

Suddenness of  
invasion and its  
consequent  
success.

Intended action ]  
of Austria,  
France, Russia,  
and Polish  
Saxony.

Actual secret  
movements of  
these Powers to  
carry schemes  
into execution.

In August, 1756, Frederick the Great suddenly invaded Saxony with 75,000 men. He had previously asked for explanations as to certain movements of Austrian troops, and having received an evasive answer, despatched a second Minister to ask for a definite statement whether or no Austria would pledge herself not to invade Prussia that year or next. As Carlyle puts it, his troops were meantime everywhere on the march "to the frontier in an industrious, cunningly devised, evident and yet impenetrably mysterious manner." On the receipt of an answer from Maria Theresa that his idea, that she and the Empress of Russia were contemplating attack on him was baseless, he instantly crossed the Saxon frontier and published a declaration—"protesting in the most solemn manner that he had no hostile views against his Polish Majesty or his dominions; that his troops did not enter Saxony as an enemy; that he only seized it as a sacred 'depositum,' and a means of protecting his own territory, threatened, as he had reason to believe, by the union of the King of France, the King Elector, the Czarina, and the Empress Queen; that he would take care that his troops should maintain the best order and the most exact discipline; and that he desired nothing so much as the happy minute when he could have the satisfaction of restoring his hereditary dominions to his Polish Majesty."

So sudden and unexpected was his stroke, that the Polish Court, which was at the time at Dresden, had not had time to remove its secret archives, which Frederick seized and published to the world, showing that Maria Theresa's answer to him—as personal a pledge of her own word as a lady, as it was possible for a sovereign to have given, was in express terms false. That the Empress and the Polish Court had, within six months after the Peace of Dresden, commenced a plot to dismember Prussia, in which the Empress of Russia had joined by the Treaty of Petersburg (22nd May, 1746), that on the 14th and 15th May, 1753, the Russian Senate had secretly agreed to dismember and crush Prussia, and that France having been gained over, Russia and Austria were actually moving troops to put the project into execution, when Frederick anticipated them by more rapid movements. In this case his declaration was not designed to give any warning of his coming hostile acts, but (at the moment when his movements could no longer be concealed) to reduce the resistance of the Saxons to a minimum.

### CASE XXVIII. (1759.)

1759.  
England and  
Holland in East  
Indies.

Cust (Cust puts  
the date wrong),  
Vol. II, p. 194.

During peace,  
war.

The Dutch maintained neutrality during the Seven Years' War, but this did not prevent hostilities without any proclamation of war taking place in the East Indies between us and them. They were precisely of the same kind as those between England and France in America, which had actually led to hostilities in Europe.

A Dutch armament arrived in the Hoogley. Clive was determined

that they should not pass up the river lest Meer Jaffier should ally himself with them against us.

"The Dutch attempted to force a passage. The English encountered them both by land and water. On both elements the enemy had a great superiority of force: on both they were signally defeated. Their ships were taken, their troops were put to a total rout. Almost all the European soldiers, who constituted the main strength of the invading army, were killed or taken. The conquerors forthwith sat down before Chinsurah, and the chiefs of that settlement immediately acceded to the terms that Clive dictated, which were to build no fortifications and to raise no troops in the country, but merely to retain what was necessary for the police of the factory; and he insisted that a violation of these covenants should be instant expulsion from Bengal."

Cust (as above),  
Mahon, Vol. IV,  
pp. 504 to 506.

Gleig's Life of  
Clive, pp. 112 to  
115.

Thornton's  
British India,  
Vol. I, p. 369  
and p. 379.

Mill's British  
India, Vol. III,  
pp. 257 to 259.

### CASE XXIX (a).

In 1762, the Empress Elizabeth having died and been succeeded by the Emperor Peter, the latter immediately threatened to attack Denmark. Whereupon the King of Denmark, being in much need of money, in order to equip his forces, "determined to revive a claim of sovereignty over the free city of Hamburg, and therefore commenced the war without any previous notice, by calling on Hamburg for a large contribution, while he anticipated the Czar by the march of his little army to enforce it."

1762.  
Action of Den-  
mark.

Cust, Vol. III,  
p. 75.

Marches troops  
to dictate terms  
to Hamburg to  
get money. No  
"war."

### CASE XXIX (b). (1762).

A further case of some importance may be inserted here, the facts of which are not clearly applicable to the present paper in the mode in which they are recited in the standard histories: for an examination of the Parliamentary papers of the time shows it to be highly instructive. It is the case of the short war of 1762 with Spain, which preceded the conclusion of the Seven Years' War. In August, 1761, Spain signed a secret treaty of alliance with France, which was then at war with us. Spain, whilst she made every preparation for war, continued the most pacific assurances towards us, till she had secured the safety of her South American fleets. Then she alleged against us the following acts of hostility on our part, as carried out against her during the war with France, though we were at peace with Spain:—

See papers in  
Parliamentary  
History, Vol. XV,  
from p. 1123 to  
p. 1209.

" \* \* \* The Spanish minister only renewed some of his former exclamations, by insisting that we had set the Spanish power at defiance during this war; that we had attacked and plundered their vessels, insulted their coast, violated the neutrality of these kingdoms, encroached upon the territorial jurisdiction of his Catholic Majesty's dominions in America by fortifying ourselves in an illegal manner in the Bay of Campeachy and the Gulf of Honduras, erecting fresh settlements, and seizing on logwood in a most arbitrary manner, besides denying the Spaniards a right they had so long claimed, to fish upon the banks of Newfoundland, &c., &c."

Action of  
England.

Hansard's  
Parliamentary  
History, Vol. XV,  
p. 1159.

This case is especially interesting, because it was his conviction of intended treachery on the part of Spain, and the refusal of his colleagues to act on the evidence that was available, that led to the first famous resignation of the elder Pitt.

## CASE XXX. (1770.)

Action of Spain.

From the end of the Seven Years' War in 1763, England had been at peace with Spain; England possessed a colony at Port Egmont, in the Falkland Islands.

1770.  
Mahon, Vol. V,  
p. 418.  
Cust, Vol. III,  
p. 134.  
Seizes during  
"profound  
peace" Port  
Egmont, in the  
Falkland  
Islands.

In June, 1770, "1,600 or 1,700 Spanish soldiers and marines, with five frigates, and a train of artillery, and ordnance stores, arrived at Port Egmont, where only two sloops-of-war and a miserable blockhouse with four guns constituted all the means of defence. Finding the Spaniards advancing to the attack, the two navy captains, Maltby and Farmer, having no adequate means of resistance, concluded articles of capitulation, by which they were permitted, after a limited time, to depart in the frigate 'Favourite,' taking with them their stores; but, to delay their departure, a new and unheard-of insult was offered to the British flag, in the forcible detention of a king's frigate for 20 days by taking off her rudder, and this in a time of profound peace between the two nations." Spain, however, was afraid of war, and restored the island.

## CASE XXXI.

1777.  
Cust, Vol. III,  
p. 214.  
Annual Register  
of 1778, p. 4.  
Action of  
Austria.  
Troops enter  
Bavaria.  
Surprise and  
seize all strong  
places.

On the 30th December, 1777, Maximilian, the Elector of Bavaria, died. The Elector Palatine of the Rhine, his successor, "had scarcely arrived in his new capital of Munich, before the Austrian troops, who had been evidently stationed on the frontiers for the purpose, poured on all sides into Lower Bavaria, and seized on every place they came to; whilst another body invaded the Upper Palatine on the side of Egra, with an army 60,000 strong."

## CASE XXXII. (1778.)

1778.  
Cust, Vol. III,  
p. 202.  
Action of France.  
Cust, Vol. III,  
p. 207.  
Secret alliance  
with United  
Colonies, and  
hostilities with-  
out warning.  
Mahon, Vol. VI,  
p. 380.

On the 6th February, 1778, France signed secretly a treaty with Franklin, engaging to give assistance to the American colonists. France did not then declare war upon England.

But, "as soon as a rupture with France had become inevitable, a French fleet, consisting of 12 sail of the line and three frigates, had been quietly despatched by the French Government to direct its course to the mouth of the Chesapeake and Delaware river, to surprise Lord Howe's fleet in the latter river, and to assist in the enclosure of the British army between the French fleet and Washington's force. By a most providential accident for the British, this contingency did not happen; bad weather and unexpected impediments retarded Admiral d'Estaing on his voyage, and it was not till the 11th July that he appeared suddenly and rather unexpectedly in sight of the British fleet at Sandy Hook."

Rhode Island was attacked, and naval engagements followed between Lord Howe and Admiral d'Estaing in America.

Cust, Vol. III,  
p. 211.

But yet, not only had there been no declaration of war, but our Admirals were hampered by a fear of commencing hostilities on this very account. Thus, "a formidable fleet having been equipped at

Portsmouth, the command of it was given to Admiral Keppel, who hoisted his flag in the month of March in the 'Prince George,' 90, and on the 8th June sailed away with 27 sail of the line. It was known as early as the month of May that the French had ready for sea, in the road of Brest, 22 ships of the line and 14 frigates, commanded by Count d'Orvilliers. On the 17th June two frigates and their tenders were discovered off the Lizard, not 25 miles distant, apparently reconnoitring the British fleet. The 'Arethusa,' 32-gun frigate, Captain Marshall, and the 'Milford,' Lord Longford, were ordered in chase; when the latter, coming up with the French frigate 'Licorne,' civilly requested the Captain to follow him to the Admiral, who ordered the vessel to be strictly watched, but to be treated with every possible civility and attention. As yet no declaration of war had issued, and Admiral Keppel was unwilling to incur the blame of commencing hostilities, although he determined by decisive measures to obtain information of the enemy and to prevent his own strength from being made known to his opponent. At daybreak on the 17th the French frigate made a movement which induced the 'Arethusa' to fire a shot across her bows, which was immediately returned from the 'Belle Poule' by a broadside; this commenced an action which lasted for two hours, by which time both ships were close in with the French coast."

Mahon, Vol. V p. 388, gives a somewhat different account of Keppel's motives, but makes the Government more clearly responsible for anticipating a declaration of war.

Annual Register of 1779, p. 58.

It is a subject on which many volumes have been written.

The King's speech on opening Parliament says: "In the time of profound peace, without pretence of provocation or colour of complaint, the Court of France hath not forborne to disturb the public tranquillity, in violation of the faith of treaties," &c., &c. While as usual it was asserted in the debates that "history furnished no example of the kind."

Parliamentary History, Vol. XIX, p. 1277.

NOTE.—In 1779 Spain joined France in the war against us. The Spanish manifesto laid before Parliament on June 17th, 1779, recites the following acts of hostility by England against Spain:—"Insults on the Spanish flag, and the violations of the King's territories, were carried on to an incredible excess; prizes have been made, ships have been searched and plundered; and a great number of them have been fired upon, which have been obliged to defend themselves; the registers have been opened and torn to pieces, and even the packets of the Court found on board the King's packet-book,"—*Parliamentary History*, Vol. XX, p. 877.

### CASE XXXIII. (1780.)

England and Holland were at peace, but "the British cruisers were every day stopping Dutch and other vessels that were conveying French or American property." The Dutch, Danish, Swedish, and Russian Courts published a formal protest. "But before this celebrated State paper was known, the British, keeping no longer any terms with the Dutch, sent out Commodore Fielding with a good squadron to intercept a fleet from Holland under the convoy of Count Bylandt, said to be bound for the Mediterranean, but in reality destined to supply French ports with munitions of war. On the 1st January, Fielding came up with three Dutchmen a little to the westward of the Isle of Wight, and desired to examine the merchant vessels. The Admiral refused, and fired at the boats which were sent for this purpose. Fielding in consequence fired a shot ahead of the Count's ship, which the Dutchman replied to by a whole broadside. Fielding on

1780. Cust, Vol. III, p. 288.

English hostilities against Dutch, but no "war."

Annual Register of 1780, p. 204\*.

Discovery of  
secret treaty  
between Holland  
and America.  
Cust, Vol. III,  
p. 239.

Holland and  
America.

1781.  
Cust, p. 271.

Surprise of  
St. Eustacia by  
England.

Annual Register  
of 1781, p. 101.

this fired a broadside likewise, on which Count Bylandt struck his colours, with the two ships of the line and two frigates that were with him." The mode in which the English Government had in this instance discovered the hostile intentions of the Dutch was as follows:—"The 'Vestal' frigate had captured the 'Mercury,' an American packet, on board of which was found Mr. Lawrens, the former President of the Congress, and among his papers was discovered a treaty of amity and commerce with Holland."

This "rupture" led at once to the issue of orders to our fleets to seize the Dutch Colony of St. Eustacia; "resistance was not attempted, for it had been a free port and was wholly unprepared to make an effective opposition. M. de Graaf, the Governor, at once returned an answer to the summons, that he was utterly incapable of defence, and relied solely on the clemency of the conquerors."

#### CASE XXXIV. (1784.)

1784.

Action of  
Austria.

Seizure in peace  
time of Fort

Lillo.

Cust, Vol. IV,  
p. 15.

Annual Register:  
of 1785, p. 106.

The Dutch having suffered greatly from their war with England, the Emperor, Joseph of Austria, saw in their weakness an opportunity. He advanced certain obsolete claims. "The States sent plenipotentiaries to Brussels for the purpose of settling these disputes, but on the very day they arrived (21st April) a small detachment of Austrian troops entered the Dutch territories and took possession of old Lillo, a fort which had been neglected."

NOTE.—In this year, after peace had been concluded with America, Nelson, disapproving of attempts on the part of the United States' citizens to continue to claim the same immunities for trade as they had had as English subjects, seems to have for some time, as the captain of a ship employed in the West Indies, carried on a little war of his own. The following is his own account of what happened:—"Having given governors, custom-house officers, and Americans notice of what I would do, *I seized many of their vessels*, which brought all parties upon me, and I was persecuted from one island to another, so that I could not leave my ship. But conscious rectitude bore me through it, and I was supported when the business came to be understood from home; and I proved, and an Act of Parliament has since established it, that a captain of a man-of-war is in duty bound to support all the maritime laws, by his Admiralty commission alone, without becoming a custom-house officer."—(From Nelson's "Memoir of His Own Life," p. 24 of *Clarke and McArthur's Life*. Impl. quarto.)

#### CASE XXXV. (1787.)

1787.

Action of  
Austria.

Attempt during  
peace with  
Turkey to seize  
Belgrade.

Cust, Vol. IV,  
p. 25.

"Before any declaration of hostilities had been issued by the Emperor of Austria against Turkey, General Alvinzi passed the Saave with six chosen regiments of Imperial infantry, and advanced in the greatest secrecy and silence during the night of the 20th December, 1787, for the purpose of surprising the Turkish fortress of Belgrade."

The attempt failed, because another co-operating army did not reach the point of intended attack.

"The Governor Pacha behaved with wonderful coolness, and sent a polite message to express his surprise at seeing in a moment of peace this appearance of troops within the territory of the Sultan, and in the precincts of a fortified city."

Annual Register of 1788, pp. 29 to 31.

"The Imperialists were, however, more successful at Dressnik, and some other small places, in one of which they put the garrison to the sword."

Actual seizure during peace of Dressnik and other fortresses.

The declaration of war followed two months later on, the 10th February, 1788.

1788.

### CASE XXXVI.

The Spaniards seized a small fort at Nootka Sound, and a Spanish frigate of 26 guns had, in July, 1789, captured two English vessels at the same place, and seized the settlement. A million of money having been voted by the English Parliament to enforce a demand for atonement, restoration was made.

1789.  
See Parliamentary History, Vol. XXVIII, p. 916.  
Cust, Vol. IV, p. 79.

Action of Spain during peace. Two ships and fort seized.

### CASE B.

The French Revolutionary war began by a declaration of war on the part of France against the Empire of Germany, on April 20th, 1792. But the motive for this formal proclamation was a political one—not to give notice to Germany, but to commit the King. The Government of France was still nominally a monarchy. Louis XVI, whose sympathies were with those Powers which were threatening to support him, was by the declaration of war in his name, made formally to call upon all the constituted powers of France to resist the invasion, which, under certain circumstances, the Emperor of Germany and King of Prussia had undertaken to carry out. Though the French commenced the war everywhere by invasion, the Generals opposed to them, as soon as the revolutionary armies were beaten back on to the soil of France, issued proclamations professing peace to France, hostility only against revolution.

1792.  
French Convention for strong political reason does declare war.

### CASE XXXVII. (1792.)

The Provinces of Savoy and Nice were owned by the King of Sardinia. Many refugees had found shelter in Nice, but France and Sardinia were at peace, when, by orders of the revolutionary government, on September 28th, a large fleet and army suddenly appeared before the town. The French Consul was first ordered to be sent on board, diplomatic relations having subsisted up to the last moment. The place was therefore completely surprised. "The most horrible excesses were committed in the captured town." Montalbon and Ville Franche, the latter the arsenal of the Sardinian army, were also captured without resistance. The King of Sardinia writes on October 10th to the thirteen cantons: "You must doubtless have been informed, and learnt with astonishment, the invasion of Savoy by the French, who entered it on the side towards Mount Melian, with a superior force of more than 20,000 men, without any previous declaration of war, and

1792.  
The French Republic surprises Nice, Montalbon, Ville Franche, in Kingdom of Sardinia, during peace.

Cust (as above), p. 103.

See Annual Register, State Papers, pp. 319 and 321.

The Letters of the King of Sardinia, one to the 13 Cantons, on

October 10th, and  
one to Canton of  
Berne.

Allison,  
edition of 1849,  
Vol. II, p. 436.

without having been provoked by any measure or act of hostility whatever on our part." This case is a curious illustration of the mode in which the expression that a State "declared war" is commonly used by historians. Nothing can be more precise than the assertion made in two independent letters by the King of Sardinia that he had had no declaration of war or warning of war, nothing more clear than his protest against "such an unheard-of proceeding." Yet the "historian" of the very Annual Register which contains these documents writes, evidently in mere carelessness and meaning that the French went to war, "War having been declared by France against the King of Sardinia, &c.," ("Annual Register History," p. 107); and Sir A. Alison probably following this, "War was declared against the King of Sardinia on September 15th." If any announcement of the kind was made in Paris it clearly did not reach Turin till long after the fall of Savoy and Nice. Thiers in any such question concerning the French supplies nothing but a cloud of words.

### CASE XXXVIII. (1792.)

1792.  
The French Republic orders  
invasion of  
neutral Switzerland.

Cust (as above),  
p. 111.

Annual Register,  
State Papers,  
pp. 317 and 318.

Allison, Vol. I,  
p. 592, 3rd  
edition.

In the same year, without declaration of war upon Switzerland, General Montesquieu was directed "to break the fetters which despotism had forged to bind the Genevese," and a force was placed under his command to possess himself of Geneva. The Swiss collected 1,800 men to aid in the defence of that city, and the Canton of Berne assembled a force of nearly 10,000 men. For the moment Switzerland was saved, but not by any previous warning of war. Before the end of the year Geneva was occupied by French troops.

### CASE C.

1793.  
Declaration of  
war due to  
popular excitement.

On the 1st February, 1793, the National Convention of France declared war upon England, Spain, and the Netherlands, in indignation at the remonstrances and breaking off of diplomatic relations which had followed the execution of Louis XVIth.

### CASE XXXIX.

1795.  
Action of  
England.

Seizure of Dutch  
Colonies without  
declaration of  
war.

Successful sur-  
prise of Fort  
Negombo and  
Island of Ceylon.

Cust, Vol. V,  
p. 38.

Confer Annual  
Register for  
1796, History,  
p. 194 with do.  
State Papers,  
pp. 189 to 195, and  
Annual Register,  
1795, History,  
p. 128.

In 1795 Holland was overrun by the French, but it was *not till* the 18th September 1795, that we declared war, nor till *May*, 1796, that "the Batavian Republic," under French influence, declared war upon England. Nevertheless, we anticipated the declaration of war by seizing the Cape Colony, and though not in anticipation of the date at which we declared war in England, yet long before any notice of it had reached either our assailing troops or Ceylon, we despatched from the Cape an expedition which surprised Fort Negombo; secured it without opposition, and, thanks to the sudden nature of the movement, though not without fighting, we secured the capitulation of the whole of the island of Ceylon.

"The merchandise captured over and above the shipping and *munitions de guerre* rewarded the captors to the extent of £300,000."

## CASE XL. (1796.)

The victories of the Republican armies under Napoleon at Montebotte, Millesimo, &c., brought the French armies for the first time into contact with the States of the Church, the Kingdom of Naples, the Dukedoms of Tuscany, Parma, and Modena. All these various States were at once required to afford all assistance to the Republican armies, and heavy contributions were levied. No declaration of war *preceded* the military movements, which enabled the Republican General to dictate these terms, though whilst in possession of Roman territory and forts Napoleon issued a proclamation of war against Rome.

1796.  
French Republican army, without declaring war, seizes forts and territory of States of Church, Naples, Tuscany, Parma, Modena, &c.

Annual Register, p. 10 (of 1797).

## CASE XLI. (1796.)

In this year, also, on the 19th August, a treaty was signed between France and Spain. It was not till the 5th October that Spain declared war upon England. It was formally *proclaimed* at Madrid on October 8th.

Cust (as above), p. 64.

Annual Register, State Papers, p. 195.

Action of Spain.

"France did not even wait until the negotiation had produced its result ere she demanded a Spanish fleet to escort the squadron of M. Richery clear of that of Rear-Admiral Mann, which was supposed to be hovering off Cadiz to intercept it. On the 4th August the French squadron" "sailed from the Bay of Cadiz under the protection of a Spanish fleet of 20 ships of the line and 14 frigates and corvettes." "Almost as soon as the Spanish fleet had got out to sea Admiral Langara," the Spanish Admiral, detached ten sail of the line and six frigates to escort M. Richery to a spot distant 100 leagues to the westward. On the 4th September Richery's fleet having, under the protection of Spain, passed over the dangerous part of its voyage, *arrived* on the coast of our colonies in Newfoundland, and in consequence of the surprise thus effected met with no resistance, and laid them waste. Yet as late as the 20th September the captain of a Spanish frigate, sailing direct from Spain, assured Nelson "on his honour" that there was no offensive alliance entered into by Spain with France against England (confer James's "Naval History," Vol. I, pp. 311 and 367, with "Nicholas's Despatches and Letters of Lord Nelson," Vol. II, p. 278).

Successful surprise of English Colonies by French fleet, protected by neutral Spain.

## Note (1796).

[It may be noted that during this year, for 16 days, the Bay of Bantry was at the mercy of a French fleet. As Sir A. Alison puts it, "the result of this expedition was pregnant with instruction to the rulers of both countries. To the French as demonstrating the extraordinary risks which attend a maritime expedition, in comparison with a land campaign; the small number of forces which can be embarked on even a great fleet, and the unforeseen disasters which frequently on that element defeat the best concerted enterprises; to the English as showing that the empire of the seas does not always afford security against invasion; that in the face of superior maritime forces, her possessions were for 16 days at the mercy of the enemy,

1796.

Sir A. Alison, Vol. III, p. 197, 3rd edition.

and that neither the skill of her sailors, nor the valour of her armies, but the fury of the elements, saved them from danger in the most vulnerable part of their dominions.”]

---

### CASE XLII. (1797.)

1797.  
Action of Austria  
and France.

Seizure of Vene-  
tian fortresses.

Sismondi's His-  
tory of the  
Italian Repub-  
lics. In one vol.  
Lardner's Cabi-  
net Cyclopædia,  
Vol. LX, p. 361.

It is difficult to say whether Austria or France treated the Republic of Venice with least ceremony during the war in Italy. It is a question on which historians put the matter differently, according to their respective sympathies.

Venice had remained perfectly neutral during the war, and to follow Sismondi, it would appear that in the course of the war, without any declaration of war, and whilst the sympathies of the existing Government were rather with Austria than with France, the Austrians successively seized by force the following fortresses belonging to Venice:—Peschiera, Verona, Bassano, Vicenza, Padua, Friuli, and Palma Nova.

Napoleon successively seized each of these strong places as he drove back the Austrians.

Schlosser's His-  
tory of the  
XVIIIth Cen-  
tury, Vol. VI,  
pp. 638 and 639.

On the other hand, Schlosser puts the case thus:—“No hesitation for a moment prevented the French from depriving the Venetians of Verona, under a feigned excuse, and Brescia afterwards, without any pretence at all, although Venice was a Republic and an intimate ally of France.”

Crowe's History  
of France. Lard-  
ner's Cyclopædia,  
Vol. LXIX,  
p. 152.  
Cust, Vol. V,  
pp. 107 to 110.  
Venice as a  
result is  
partitioned.

Napoleon was at all events in actual possession of all the strong places of the Venetian Republic at the moment when he first negotiated with Austria at Loeben, on 18th April, 1797, to dismember the Venetian Republic, and also when, on an insurrection breaking out in the towns which he held, he on May 2nd proclaimed war against the Venetian Republic. The result was the final overthrow of the Venetian State, and for a time a partition between Austria and France.

Schlosser,  
Vol. VI, p. 639.  
Tuscany invaded  
and Genoa  
suppressed.

“Augereau next sent a swarm of his plundering army into the territory of the Duke of Tuscany, who was on friendly terms with the French in order to carry off English wares from the port of Leghorn.”

The Republic of Genoa was suppressed in the same year, and without any pretext of war, by a corps of Duphot. The State became a province of France.

Similarly other  
Italian States  
dealt with.

Many of the smaller States of Italy were similarly suppressed. Some were allies of France, some neutral, some allied with her enemies. In no case was the formality of a declaration of war deemed indispensable before the frontiers were crossed or the fortresses seized.

---

### CASE XLIII. (1798.)

1798.  
Republican  
France suddenly  
invades  
Republican  
Switzerland.

Switzerland in this year was in peace and alliance with France, a Republic, and some cantons possessed a democratic constitution. Nevertheless the Directory of the French Republic, anxious to secure a certain treasure known to be in the possession of the Swiss, and the

amount of which had been exaggerated by rumour, issued orders for the actual invasion of Switzerland.

"Accordingly, on the 28th January, Ménard sent General Rampon across the Lake of Geneva, with a demi-brigade, while he established his own headquarters at Lausanne, from whence he issued proclamations to the Bernese. On this the 13 cantons, with the exception of that of Bâle, deliberated and determined to resist the French, and with this view renewed the Federal contract, making some trifling concessions to public opinion. The Directory upon this sent forward another division of troops, under General Schawenbourg, and superseded Ménard by General Brune: while the Bernese Senate ordered an army of 25,000 men to be raised, which they placed under the command of the Baron d'Erlach, and entered into a solemn resolution to defend their country to the last extremity."

Cust, Vol. V, pp. 122 and 123.

Alison, Vol. III, 3rd edition, pp. 521 to 551.

Schlosser, Vol. VII, pp. 73 to 87.

\* \* \* \* \*

"The Swiss were all under orders on the night of the 1st March, with the intention of attacking the French, but before morning received a counter order from the Senate of Berne, in consequence of some proposals for an accommodation, which had been deceitfully sent to it by General Brune. The French Commander availed himself of this *ruse* to make the attack himself before daybreak on the 2nd, and of course under such circumstances it succeeded; both Fribourg and Soleure were carried by assault, and D'Erlach retired on Fraubrünnen.

"Geneva was now treated by the French Republic as a conquered province, and was annexed to France, and all the reminiscences of the ancient Helvetic Republic were made prize of. At Soleure the flags which had been won from Charles the Bold, at the battles of Morat and Vanci, and there deposited, were seized and sent by General Brune to Paris with 25 others, and were solemnly presented as trophies to the French nation, on the 18th March."

Cust (as above), p. 123.

All had taken place without declaration of war.

No declaration of war seems to have preceded the attack upon Rome this year, which put an end to the reign of the Pope.

Sir A. Alison in the margin uses the expression "War is in consequence declared against Rome;" but his text shows clearly that this is only intended as a paraphrase for "war was made." His own expression is that the action of the Directory was "as perfidious as it was hostile." And this is confirmed by all accounts. The whole plot is fully put forth in Napoleon's letter to Berthier, 11th January, 1798.

Schlosser (as above).

Cust (as above), pp. 123 and 124.

See Alison, Vol. III, pp. 561 to 571, 3rd edition, note to 562.

Annual Register of 1798, Chap. IV and Tome III, Correspondence de Napoleon I, p. 626, &c.

#### CASE XLIV. (1791.)

On the 9th June the Republican fleet, under the command of Bonaparte, destined for the conquest of Egypt, had a slight difference with the Grand Master of the Knights of St. John of Malta, as to the number of ships to be admitted into the harbour. The master was incapable, a few shots were exchanged, and the fortress capitulated. Not only had there been no declaration of war but the expedition had been covered with the most profound secrecy up to the moment of its arrival.

French Republican fleet seizes friendly Malta by previous design but on sudden pretext.

Napoleon Correspondence, Vol. IV, p. 180, and from 180 to 189.

## CASE XLV. (1798.)

1798.  
Cust, Vol. V,  
p. 145..

The Napoleon  
Correspondence,  
Vol. IV.

Allison, 3rd  
edition, Vol. III,  
p. 442.

Edition of 1849,  
Vol. IV, p. 595.

French Republic  
tells suspicions  
of their ally the  
Porte to render  
seizure of Egypt  
easy.

Cust (as above),  
p. 133.

Capture of  
Alexandria  
on first day.

Cust (as above),  
p. 145.

Date of actual  
declaration of  
war. French  
ambassador at  
Porte when  
Egypt is con-  
quered.

Clarke and  
McArthur's Life  
of Nelson,  
Vol. II, p. 95.

If the Knights of Malta had had no notice of the purpose for which the French fleet was intended, the Porte, which was on the best terms with France, had naturally inquired of the friendly Republic, whose Ambassador was still at Constantinople, for what purpose the fleet had been collected at Toulon. The anxieties of the Porte had been quieted by the reply that the hereditary enemies of the Mussulman—the Knights of St. John of Malta—were the enemies whom France was preparing to attack.

On the 1st *July*, Bonaparte landed in Egypt, in the territory of this friendly Porte. On the 3rd *July* he summoned Alexandria, and took it the same day by assault.

On the 21st *July* he gained the battle of the Pyramids.

Egypt was thus at the feet of Napoleon when, on the 1st *September*, the Porte having become aware of the hostile action of France, after a province had been lost to her, declared war, and sent to the Seven Towers the French Ambassador actually still at Constantinople. The "Hattis-sheriff" on the subject declares, "When the unhappy news came to our Imperial ear, a month after that insufferable event had come to pass, we call God to witness our concern and grief were such as to produce tears, and to deprive us of sleep and rest."

## CASE XLVI. (1798.)

Cust (as above),  
p. 146.

Neutral Naples  
moves  
against France  
without declara-  
tion.

Cust (as above),  
p. 152.

Want of "vigour  
and manliness"  
in Neapolitan  
Generals  
in not attacking  
French without  
declaration of  
war.

Clarke and  
McArthur,  
Vol. II, p. 130.  
But above all,  
Nelson's own  
letters, pp. 181  
and 182, Vol. III,  
Nicholas's  
Letters, &c.

The Kingdom of Naples had hitherto maintained neutrality. Nelson's return from the victory of the Nile gave the King courage to attack the French. Mack, the Austrian General, was summoned to the command of the Neapolitan army, which forthwith invaded the Roman territories then held by the French, and everywhere either surprised or endeavoured to surprise the French forces. The fact that there had been no declaration of war, however, led to some awkward results in other places, which, with the following comments on them, seem worth mentioning; they apparently fairly represent Nelson's view of the question, as well as that of others:—

"At the same time that Mack marched away to Rome, 5,000 Neapolitans, under General Naselli, had been embarked on board Nelson's British and Portuguese squadron, and sailed to Leghorn, of which they took possession; but Naselli refused to seize the French vessels in that port, because, he said, the King of Naples was not at war with France. Nelson was furious with him, but could not affect any change in his mind, and as it was in vain to hope for anything vigorous or manly from men utterly devoid of all public spirit, Nelson returned to Naples."

Nelson's letter to Wyndham, of 30th November, 1798, runs thus:—

"I have been thinking all night of the General and Duke of San-gro's saying, that the King of Naples had not declared war against the French. Now, I assert that he has, and in a much stronger manner than the ablest minister in Europe could write a declaration of war. Has not the King received, as a conquest made by him, the Republican flag taken at Gozo? Is not the King's flag flying there

and at Malta, not only by the King's absolute permission, but by his orders? Is not the flag shot at every day by the French, and returned from batteries bearing the King's flag? Are not two frigates and a corvette placed under my orders? and they would fight the French meet them where they may. \* \* \* \* If those acts are not tantamount to any written paper, I give up all knowledge of what is war."

---

### CASE XLVII. (1798.)

At this time France and the King of Sardinia were at peace, but "information very probable, but in no degree authentic, made the French General believe that the King of Sardinia and the Grand Duke of Tuscany were prepared to make common cause with the King of Naples and the Pope against the Republic. Accordingly, the French General determined to be beforehand with Charles Emanuel. On the 5th of December the strong places of Novarra, Suza, and Coni were surprised and taken possession of by the French troops, and the divisions of Victor and Dessolles crossed the Ticino and marched to Vercelli. The Piedmontese troops made a show of resistance, but were easily pushed back to Turin, where the King at once signed all the articles required of him and abdicated."

December, 1798.  
Cust (as above)  
p. 153.

Action of France.  
Sudden attack  
upon Piedmont.  
Novarra, Suza,  
and Coni are  
seized without  
declaration.

Annual Register,  
1798, Chap. IX.

## 1800 to 1840.

### CASE XLVIII. (1801.)

James, Vol. II, p. 445, and Cust, Vol. VI, p. 79. Cust's dates have here become confused. Confer Vol. V, p. 144.

Action of Russia. Sudden seizure of British ships.

The Emperor Paul of Russia, after Malta had been seized by the French, had declared himself to be Grand Master of the Knights of St. John. When, therefore, on the 5th September, 1800, at the end of two years' blockade, Pigot forced the French General in command of the island to capitulate, and occupied the fortress as a British stronghold, the Czar treated this as an act of war upon Russia, though he had been himself at war with France. He at once seized 200 British ships in Russian ports, and sent their crews prisoners into the interior.

He did not, however, declare war, but entered into treaties of "armed neutrality" on December 16th and 18th, 1800, with Prussia, Denmark, and Sweden, in order to resist our treatment of neutral vessels.

This league was not in name directed against England at all. It was simply bound together for the assertion of certain general principles of international law.

1801.  
Action of England against "neutrals" Sweden, Denmark, and Russia. Sudden seizure of vessels.

Cust, Vol. VI, p. 79.

What was treated by us as a "declaration of war."

Whereupon, on January 14th, *Reprisals* were ordered by the English Cabinet. All Swedish, Danish, and Russian vessels in our ports were seized. A large English fleet under Sir Hyde Parker was despatched to the Baltic. But there was no declaration of war. The following extracts will show when and how war was declared.

"On arriving off the entrance into the Sound, a flag of truce was sent to the Danish Governor of Elsineur to inquire if he meant to oppose the passage of the fleet through the Sound, which received the following reply:—'As a soldier I cannot intermeddle with politics; but I am not at liberty to suffer a fleet whose intention is not yet known to approach the guns of the Castle of Kronenburg, which I have the honour to command.' The Admiral pronounced this answer *equivalent to a declaration of war*. The fleet therefore passed on, Lord Nelson's division in the van, the Commander-in-Chief in the centre, and Admiral Graves in the rear, when the batteries opened, but the distance was so great that not a shot struck the ships. The bomb-vessels, however, returned some shells with better effect, and killed and wounded some men in the castle. But at Elsineur the strait narrows to three miles across, and on the Admiral observing that the Swedish castle of Helsingborg did not make any show of opposition, he ordered the ships by signal to incline to the Swedish shore, and about noon the fleet was securely anchored between the Island of Huen and Copenhagen."

"The object of the expedition was to attack the Allied Powers separately, before they could unite their forces; and at this season the ice was still firm in the Baltic, so that Denmark was thoroughly isolated from the co-operation of Russia and Sweden."

Whereupon there followed first the destruction of the Danish fleet, and secondly (the Emperor Paul's death fortunately for us taking

Compare Thiers, Vol. II, p. 228, *Albion*, Vol. IV, pp. 473, 474, 476. 3rd edition.

place soon afterwards), a complete break up of the neutral confederation, and a re-enactment, with very slight modifications, of the right of search against which the Confederation had been arrayed.

---

### CASE XLIX. (1801.)

The constructive "declaration of war" between Sir Hyde Parker and the Governor of Elsinour occurred on March 27th.

But by *March 20th* "the Swedish island of St. Bartholomew, wholly unprepared for any defence, surrendered at the first summons, to a force consisting of three regiments of foot and a detachment of artillery, under Lieutenant-General Trigge, and a squadron under Rear-Admiral Duckworth."

1801.  
Alison, Vol. IV,  
2nd edition,  
p. 503.  
Cust, Vol. VI,  
p. 107.  
Action of Eng-  
land. Prior to  
even the con-  
structive  
declaration of  
war, St. Bartho-  
lomew is sur-  
prised "unpre-  
pared."  
Similarly all  
Swedish and  
Danish colonies  
seized.

It is needless to say that no notice had reached this far-off station, and the "rupture," *i.e.*, a declaration of neutrality which was accompanied by assurances from the neutral Powers expressly repudiating hostile intentions towards Great Britain, was immediately followed by the seizure by us of the colonies of both Denmark and Sweden.

---

### CASE L. (1802.)

Intestine disputes broke out this year in Switzerland, whereupon Napoleon, then 1st Consul, sent Rapp, his aide-de-camp, to declare himself mediator between the disputants, "and he forthwith despatched Ney with a force of 20,000 men to convince them that his power was equal to his declaration. This general immediately occupied without resistance Soleure, Zurich, and Berne: and further advanced into the interior as far as St. Gall, Glarus, and Schweitz."

1802.  
Napoleon  
marches army  
into friendly  
Switzerland, and  
seizes by sur-  
prise various  
fortresses.  
Cust (as above),  
p. 127.  
Annual Register,  
p. 90 and Chap.  
XVIII.

It is, properly speaking, rather a case of conquest without "war" and without pretext, but there was certainly no declaration of war.

---

### CASE LI. (1803, 1804.)

After the Peace of Amiens, before war recommenced, a "Declaration" was laid before Parliament, but this cannot from its text be fairly called a "declaration of war," and the debates show that it was not regarded as by any means final. Ambassadors were withdrawn, and then hostilities gradually commenced. So far the case is rather a negative one, rather indicating that a "Declaration" was a notice calling upon Parliament for support in war than any duty owed to a nation with whom we were about to commence war, but not remarkable in any way. Very different is that which follows. As a consequence of our war with France, it became necessary to consider the possibility of war with Spain. Negotiations were opened with the Spanish Court to avoid this result, when, on the 5th October, 1804,

1803.  
See text of  
Declaration,  
Annual Register,  
p. 735 State  
Papers; and  
History, Chaps.  
XI, XII, and  
XIX.  
Annual Register,  
1804. State  
Papers, p. 699.

Action of  
England, as  
stated by Spain.

they were interrupted by an act on our part, the nature of which it will be convenient first of all to see with Spanish eyes. After reciting the circumstances of the previous negotiations, a Spanish manifesto of December 12th, 1804, thus refers to our action on the 5th October:—  
“The abominable crime of the surprise, battle, and capture of the four Spanish frigates, which, navigating in the full security which peace inspires, were fraudulently attacked in consequence of orders from the English Government, signed in the very moment in which it was faithlessly enacting conditions for the prolongation of the peace, in which every possible security was given to it, and in which its own vessels were provided with provisions and refreshments in the ports of Spain. Those very vessels, which were enjoying the most perfect hospitality, and were experiencing the fidelity with which Spain was proving to England the good faith of her engagements, and how firm her resolutions were to maintain her neutrality—those very ships carried, concealed in the bosoms of their commanders, the unjust orders of the English Cabinet for assaulting Spanish property on the seas, iniquitous orders, and profusely circulated, since all its vessels of war on the seas of America and Europe were already detaining and carrying into its harbours as many Spanish vessels as they met with, without respecting even the cargoes of grain which were coming from all parts to succour a faithful nation, in a year of the greatest calamity. Barbarous orders—since they deserve no other name—to sink every Spanish ship under 100 tons, to burn those which they found on shore on the coast, and to make prize of and carry to Malta those only which exceeded 100 tons.” \* \* \* The King of Spain “finds himself in the hard predicament of making war upon the King of England, upon his subjects and people, omitting the formalities of style by a solemn declaration and publication, owing to the English Cabinet having begun and continued to make the war without declaring it.”

1804.  
Vide Captain  
Moore's Report.  
Annual Register,  
1804.  
Appendix, p. 555.

The official report of Captain Moore, who carried out the orders of the Government on this occasion, under Admiral Cornwallis, confirms all the principal facts referred to in the Spanish Manifesto, so far as they concern this paper.

An incident of the action showed how entirely the Spanish vessels were believed to be engaged in peaceful trade. A family of four daughters and their mother, with four sons, and the savings of 25 years of the colonial life of a Spanish planter, returning home, were destroyed in the explosion of one of the ships which blew up.

Vote of Lords.

Annual Register.  
(History), 1805,  
p. 16.

In the House of Lords the action of the Ministry was sustained by a vote of 113 to 36, the views of the majority being fairly summed up in Lord Westmoreland's statement, that he “thought His Majesty's Ministers could not possibly have avoided this war with Spain; and as to their having made it without a previous declaration, it was neither contrary to the law of nations, nor unprecedented in modern and ancient history.”

Vote of Com-  
mons.

Annual Register  
(History) 1805,  
p. 24.

The same plea formed the defence in the House of Commons. The speech of Sir John Nicoll, the Advocate-General, is thus reported:—  
“That the proceeding was not without precedent, in the general conduct of nations, he showed by the following examples of hostilities being commenced before war was declared:—The case of Sir G. Byng's mission in 1718; that of Admiral Hosier, and the attack upon Gibraltar in 1726; the seizure of the British vessels on their coasts by the Spaniards in 1739; the British fleet sent to attack the French off Dungeness in 1744;\* the seizure of the French ships in our ports

\* This case is very curiously cited, as if it told against us instead of against the French. The French fleet, “attacked off Dungeness in 1744,” were actually attempting an invasion of England prior to any declaration.

in 1755; the detention of all British ships in the ports of Spain, three weeks before any declaration of war; our seizure of Dutch property in the last war; and the late battle of Copenhagen; all of which took place prior to any declaration of war, and many of them during the progress of negotiations." These incidents have been referred to in their places in this paper, but it is interesting to find them quoted by such authority expressly as precedents in this matter.

On the opposite side no attempt was made to dispute these facts; but the assertion on that side was, that "every instance of the kind which had occurred has since been condemned and reprobated by every man of common understanding" (Dr. Laurence's speech). Virtually, in fact, from the definiteness with which Fox put the point the question which went to the vote was, whether a nation ought or ought not to commence hostilities without warning, if there be adequate reasons for doing so.

Defence put forward by Ministers.

The House of Commons answered "yes" by 313 to 106.

The English declaration of war is a very elaborate paper, in every other respect completely answering the Spanish manifesto; but on this point there is no other answer but that of the Earl of Westmoreland.

Sir A. Alison, after a careful statement of the case, and after showing that the orders issued as far as the destruction of ships was concerned are somewhat exaggerated in the Spanish manifesto, sums up that "it is a question on which no defence can be maintained for the conduct of England." If so, no nation stands in any different position, and England has repeated the same offence many times since then.

Alison, 2nd edition, Vol. V, p. 243, and from 228 to p. 244.

Mr. Green does not allude to the incident.

## CASE LII. (1805, 1806.)

The war between Napoleon and Austria, which led to the capitulation of Ulm and the battle of Austerlitz, commenced by Austria crossing the Inn early in September, in order to enforce a summons which she had sent to Bavaria to incorporate the Bavarian armies with her own.

1805.  
Annual Register (History), p. 144.

Napoleon, whose armies were already on the march for Ulm at that very time, had previously declared that he should *consider* an attack upon Bavaria *as a formal declaration of war*. The war was no doubt fully known to be coming on both sides; but acts on both sides to seize all the advantage that could be obtained under the shadow of peace preceded any notice of coming war.

In his march to Ulm Napoleon committed a distinct act of war upon Prussia by marching his army through her territory.

Napoleon marches his army through territory of friendly Prussia.

The King of Prussia, furious at this and other insults, on the 4th of November, 1805, swore with the Emperor of Russia, over the coffin of Frederick the Great, a solemn treaty binding each of them to fight Napoleon to the last. At the same time he entered into terms of friendship, and received promises of subsidy from England.

Action of Prussia. After receiving promises of subsidy from England, suddenly seizes Hanover.

Yet, by December 15th, the battle of Austerlitz had so frightened Prussia that, without drawing sword against Napoleon, she concluded a treaty with him by which she agreed to turn upon England, seize Hanover, and exclude English shipping from the Harbours of the Elbe and the Weser.

Cust (as above), pp. 285 and 326. Alison, Vol. V, 2nd edition, pp. 680, 681.

1806.  
Prussian act and friendly professions met by instant blockade and embargo.

The treaty was ratified and acted on on February 25th, 1806. Prussia all the time professed friendliness to England, and regret at the course she was compelled to take. This was instantly met by our laying an embargo on Prussian ships, and declaring her ports in a state of blockade. "Before many weeks 400 merchant ships had become prizes to the British navy, and the Prussian flag was swept from the ocean." But these were in each case retaliating measures taken without notice or declaration of war, the great success which attended them being due to this very fact.

---

### CASE LIII. (1806.)

1806.  
Cust (as above), p. 329.

Prussia presents ultimatum to France, fixing date for reply.

Cust (as above), p. 330.

Napoleon invades as fast as he can move without waiting to reply, Alison, Vol. V, 2nd edition, pp. 683—692 and 736—737.

Napoleon now heaped insult after insult upon Prussia, till at last, on October 1st, the Prussian Ambassador at Paris presented an ultimatum demanding a categorical reply by the 8th.

Napoleon's speech on receiving the ultimatum implies the action he took. He turned to Berthier: "Prince! nous serons exacts au rendezvous: mais au lieu d'être en France le 8 nous serons en Saxe." And marching at once he actually reached the Saxon frontier, crossed it, and fought his first action on the day on which the Prussian King had expected an answer to his ultimatum prior to declaring war.

---

### CASE LIV. (1806, 1807.)

Action of Russia and England against Turkey.

Cust (as above), pp. 371 and 372. James, Vol. IV, pp. 213—231.

Russian army during negotiations, and after full concessions, suddenly invades Moldavia and seizes fortresses.

British Ambassador secures personal safety by leaving Constantinople.

Chiefly through the skill of General Sebastiani as a diplomatist, the Porte was gradually won over to sympathy with France, despite Napoleon's aggression against Turkey in the Egyptian expedition. But under threats that an English fleet would enter the Dardanelles, and that the Russian Ambassador would leave the Turkish Court, the Sultan had, on October 15th, 1806, acceded to all the demands of England and Russia, when suddenly, on November 23rd, 1806, "a Russian army entered Moldavia and took possession of Chotsim, Bender, and Jassi," and on November 27th a British squadron anchored in front of the Seraglio; "but, so unwilling was the Turkish Government to engage in hostilities with Russia and England, that notwithstanding" \* \* \* "they allowed a whole month to elapse before they declared war" against Russia.

The practice of the Porte being to send Ambassadors to the Seven Towers by way of declaring war, Mr. Arbuthnot, the British Ambassador, in order to avoid the risk of this, but not under authority from home, or himself intending to declare war, made his way to Tenedos, under the protection of the fleet, which withdrew from Constantinople.

1807.  
Cust, Vol. VII, p. 2.

Whilst negotiations continue, the English Admiral forces Dardanelles.

"From this island he proposed to the Ministers of the Porte to continue negotiations, and Feyzi-Effendi was commissioned with full powers to proceed with the Capudan Pacha to treat with the British Ambassador. While, however, the civilians were thus engaged, the British Vice-Admiral, Sir John Duckworth, with his fleet, having weighed on the 19th February, 1807, steered for the entrance of the Dardanelles; but when the leading ship, the "Canopus," 80, bearing the flag of Sir T. Louis, arrived abreast of the outer castles, both of

them opened fire. None of the British ships, however, returned a shot until, reaching the inner castles, they opened fire at point blank with good effect. The fire was then continued by the ships of the fleet as they passed up in succession."

The virtual surprise of Constantinople was so complete that a high officer was sent to the French Ambassador, "to apprise him that the capital was defenceless against such a force as had been brought against it, and that the Porte had no alternative but to concede all the demands addressed by the English Ambassador and Admiral."

Constantinople thus surprised during peace time is saved by General Sebastiani.

Sebastiani's energy and his skill as a diplomatist combined to save Constantinople. By keeping up negotiations with the Admiral he gained time for those preparations of defence which had not been made previously, because the Porte was at peace with the only Power that could thus have threatened Constantinople. The Admiral exposed his fleet to serious disaster on March 3rd in withdrawing from the Dardanelles, because, despite the action of February 19th, he continued to assume that peace was unbroken.

Cust, Vol. VII, p. 3.

#### CASE LV. (1807.)

Negotiations were still going on at Constantinople while an expedition was being prepared under the orders of the English Government at Messina for the seizure of Egypt. Before any news of the final rupture at Constantinople had reached either Egypt or the English Government, "On the 6th of March the 'Tigre,' 74, Captain Benjamin Hallowell, accompanied by the 'Apollo,' 38, Captain Fellows, and the 'Wizard,' 16, Captain Palmer, with 33 sail of transports, having 5,000 troops on board, under Major-General Fraser, set sail from Messina, and on the 15th the 'Tigre,' keeping the rest of the expedition out of sight, reached the offing of Alexandria, and summoned the Governor. This having been refused, Captain Hallowell waited till the 20th, when the whole of the armament anchored in Aboukir Bay; the troops, to the number of 1,000 men, were, amidst many difficulties, got on shore, with five field pieces, and a detachment of blue-jackets, under Lieutenant Boxer, who moved forward the following day, and took possession of the castle. The Governor, as soon as he perceived the accession of strength, accepted terms of capitulation, and on the 21st, the anniversary of the battle of Alexandria, the city was taken possession of."

1807.  
English expedition during negotiations sails against Egypt.

Cust (as above), p. 6.

James (as above), pp. 232, 233.

#### CASE LVI. (1806.)

"A squadron of frigates was despatched by Vice-Admiral Dacres, Commanding-in-Chief on the West India station, to reconnoitre the island of Curaçoa, and ascertain the disposition of the population to ally themselves with Great Britain." Captain Brisbane, who was in command, "having more taste and abilities for fighting than for negotiating, thought that the most ready mode of carrying out his orders was to dash right into the harbours, and by pointing the muzzles of his guns into the windows and doors of the burghers,

1806.  
English expedition against Curaçoa "to ascertain willingness to ally themselves with Great Britain."

Cust (as above), p. 8.  
Date wrong.

James, Vol. IV,  
pp. 275—278.  
Excellent full  
account.

Five minutes  
notice, then  
ships in harbour  
are seized.

Next 60-gun  
fort taken in  
ten minutes,  
then chain of  
forts and  
citadel fall.  
Lastly, "almost  
impregnable  
fortress" is taken  
by 10 A.M.

at once command their ready acquiescence to the transfer of their allegiance."

He forced his way suddenly into the harbour, sent off a message to the Governor, "The British squadron under my command are here to protect and not to conquer you; to preserve to you your lives, liberty, and property. If a shot is fired after receipt of this summons at any one of my squadron, I shall immediately storm your batteries. You have five minutes to accede to this determination." No notice being taken of this mission, all the frigates opened their broadsides, and after three had been given, Brisbane, at the head of a portion of his crew, boarded and carried the Dutch frigate 'Halstaar,' 36, Captain Cornelius Evertz, while Captain Lydiard, and a party from the 'Anson,' did the same with the 'Surinam,' 20, Captain Van-Nes. This done, Brisbane and Lydiard pulled straight for the shore, and landing together proceeded to assault Fort Amsterdam, mounting 60 guns in two tiers, which stood on the right hand of the port. The vigour of the assault was such, that though garrisoned by 275 soldiers, the fort was carried in about ten minutes. A chain of forts on Misselburgh heights and the citadel were next assaulted, and speedily secured, and 300 seamen and marines were landed to attack Fort République, an almost impregnable fortress upon a high hill, on which the British flag was seen to wave by 10 o'clock, when the whole island submitted with no greater loss to the squadron than 3 killed and 14 wounded."

### CASE LVII. (1807.)

This year was rich in these events.

1807.  
English seizure  
of Copenhagen  
and Danish fleet.

It was the year of our sudden seizure of the Danish fleet and bombardment of Copenhagen consequent upon the discovery of the secret provisions of the Treaty of Tilsit. The facts, which are of great importance, will be found in the following extract, which brings out the points in a shorter space than either Thiers' account or Sir A. Alison's, though there is no possible dispute as to the accuracy of it:—

Bussey's History  
of Napoleon,  
Vol. II, p. 13.

"In the beginning of August" [on July 26th] "an expedition, consisting of twenty-seven sail of the line and a great number of frigates and smaller vessels, carrying upwards of twenty thousand soldiers, under the command of Lord Cathcart, was despatched to the Baltic, secretly commissioned to demand from Denmark, the only northern Power which still possessed what might be justly called a fleet, the delivery of its ships and naval stores to Great Britain, to be held in trust till the proclamation of peace. Between the Danes and the English at this period the most friendly relations were subsisting; extensive mercantile dealings were mutual, and ambassadors resided at their respective Courts. No intimation was given of the hostile intentions of Great Britain; no complaint of misconduct on the part of Denmark, or hint of apprehension as to her ulterior designs, was suffered to transpire; even after the expedition had sailed Admiralty licenses were granted to British merchants trading to Denmark, and Danish ships were encouraged to enter English ports as those of friends and allies.

"Hence the object of the armament was unsuspected, when Admiral Gambier, with his armed freight passed the Sound and the Great Belt, and, entering the Baltic, blockaded the Island of Zealand, on which Copenhagen, the capital of the kingdom, is situated. It was not till ninety pennons were flying round these unprepared shores that

Mr. Jackson, the British Minister, thought fit to communicate to the Crown Prince the requisitions of his Government, which were then stated to have originated in a fear that the French Emperor would not long permit Denmark to remain neutral, but would seize and employ her fleet in his meditated attempt to subjugate England.

"The Danish Prince, with just indignation, repelled the demand as an unwarrantable attempt to deprive his country of its independence, and prepared to offer what resistance he could to the unprovoked aggression of his pretended friends. The British, however, were too numerous, and their course of proceeding had been too well organised for a hasty and ill-arranged defence to be availing. The troops were disembarked; and while one portion was sent into the interior of the island, under the command of Sir Arthur Wellesley, whose name, already celebrated in India, was now first heard in connection with European warfare; the majority were occupied, in conjunction with the fleet, in bombarding Copenhagen, which, after bravely withstanding the enemy for three days, during which many public buildings, churches, libraries, and an immense number of private habitations, and great part of the population were destroyed by the cannonade and a dreadful conflagration, was compelled to surrender its citadel and forts. The captured fleet was immediately fitted out for sea, and all the naval stores, together with private property of extensive value, were embarked, and the English withdrew with their booty."

This action on the part of the British Cabinet is not one which historians have found any difficulty in justifying. As Sir A. Alison has put it, "the Cabinet of Great Britain had a most serious duty to perform." It was purely a question whether Russia and France (in accordance with the secret provisions of the treaty of Tilsit) or England should be the first to seize the fleet of Denmark. Russia and France had agreed to summon the Danes to surrender their fleet on September 1st, 1807. England actually seized it on September 5th, having completed the arrangements for surrounding it by August 16th, and having cut off all communication with the shore by August 3rd.

The English Cabinet expressed the most pacific intentions.

Sir A. Alison, page 468, quotes in a note from the Parliamentary debates X 222, the proclamation that was issued by order of the Cabinet. "The King" requests, "in the most amicable manner, explanation," and has "judged it expedient to demand the temporary deposit of the Danish ships of the line in one of His Majesty's ports. The deposit seems to be just, and so indispensably necessary under the relative situation of the neutral and belligerent Powers, that His Majesty has further deemed it a duty to himself and to his people to support his demand by a powerful fleet, and by an army amply supplied with every necessary for the most active and determined enterprise."

Alison, edition of 1849, Vol. VIII, pp. 248, 257.  
Vol. VI, 2nd edition, pp. 463 and 465.

Confer Green's History, Vol. IV, p. 367.

Alison, Vol. VI, 2nd edition, pp. 469 and 471.

### CASE LVIII. (1807, 1808.)

By the "Treaty of Fontainebleau," Napoleon had agreed with the Spanish Government to pass an army into Spain to join in the conquest of Portugal, and Junot moved to accomplish that object. But on November 22nd (1807), "without any authority or permission, asked for or given, 24,000 French infantry, and 4,000 horse, with 40 guns, under Dupont, followed by 25,000 infantry and 3,000 horses, with 40 guns, under Moncey, defiled towards the Ebro, upon Madrid

Cust, Vol. VII, p. 69.  
Napoleon's armies, during peace and by virtue of alliance enter Spain.

1808.  
Cust (as above),  
p. 74.

Alison (edition of  
1849),  
Vol. VIII,  
pp. 327—334.  
or 2nd edition,  
Vol. VI,  
pp. 544—554

The citadel of  
San Fernando is  
under false pre-  
text seized.

At Barcelona,  
during friendly  
review, French  
soldiers suddenly  
enter citadel and  
seize it.

Cust, Vol. VII,  
p. 75.

The only portion  
of fortress they  
cannot reach is  
then secured by  
sudden threat of  
instant "war."

Similarly all  
western frontier  
fortresses are  
seized.

Citadel of Pam-  
peluna,

which by care  
of Commandant  
escapes at first,

is secured by  
trick.

French soldiers  
unarmed loiter  
about draw-  
bridge, and  
enter guard-

while 12,000 infantry and 2,000 horse, with 20 guns, took the road to Barcelona."

Other forces were hurried over the frontier at the same time. "Early in February, 1808, they were headed by two regiments of infantry forming the brigade of Général Nicholas, who, under a false pretext, halted at Figueras, while the rest of the column pressed on towards Barcelona. The French General asked permission to quarter his troops in the citadel of San Fernando, which, from weakness or treachery, was granted, and next morning pursued his march with one regiment, while the other remained behind in assured possession of one of the most modern and best fortified frontier fortresses, which had been only garrisoned by some 300 men.

"On the arrival of Duhesme's division at Barcelona, it was given out that it was to proceed to Valencia, and on the 15th, the troops were under marching orders, and were formed up for inspection upon the glacis of the citadel. All the idlers of the city were present to witness this review and hear the music, when, suddenly, two companies on the right divested themselves of their packs and haversacks, and covertly marching to the rear of the line, suddenly turned in at the gate of the citadel and seized the drawbridge before it could be raised.

\* \* \* \*

"In a short time the French were masters of the fort. This is a regular pentagon, of no great antiquity, at the north-east of the town, having on the south an inaccessible tower on a rock called Mont-Jouic. General Duhesme, without a moment's delay, repaired thither, and, descending at the quarters of the Conde de Espeleta, the Captain-General of the province astounded His Excellency by saying: 'Mes soldats occupent votre citadelle; ouvrez moi à l'instant les portes de Mont-Jouic: car l'Empereur Napoléon m'a ordonné de mettre garnison dans vos forteresses. Si vous hésitez je déclare la guerre à l'Espagne, et vous serez responsable, envers votre Prince et votre nation, des torrens de sang que votre résistance aura fait couler.' The old General, who had received express directions on no account to compromise his nation with the French allies, alarmed at the use of Napoleon's name, timidly or corruptly yielded, and the capital of Catalonia was occupied without a blow.

"It was on the very same night that the same game was played out at the Spanish fortresses on the western frontier. The battalions, under Brigadier D'Armagnac, entered Spain by the Pass of Roncevalles, and were received at the gates and duly billeted in the town of Pampeluna as friends. The important citadel of this place was garrisoned by 700 men, under the Marquis de Valle Santoro. It was full of every kind of requisite of war, and, accordingly, the French soldiers were admitted, but only in fatigue dress, to obtain their rations within the citadel, together with the rest of the garrison; but the Spanish Commandant always took the precaution of raising the drawbridge when the foreign soldiers were inside. It was necessary, therefore, for the French Commander to have recourse to a trick to obtain possession. D'Armagnac took a lodging designedly upon the open space which separates the town from the fort, and, on the night of the 15th to 16th he introduced 100 grenadiers into his house, who entered it, after nightfall, one by one, with only their muskets and side-arms. At 7 in the morning the soldiers were sent, as usual, to receive their rations in the citadel, accompanied by their Colonel, Robert, a man of intelligence and energy. It happened to be a very wet morning, and, under the pretence of awaiting the arrival of their Quartermaster, these soldiers lolled about the approaches, some on the

drawbridge, some with the guard in the guard-room. Upon a given signal they rushed to the arms-rack, seized the Spanish soldiers' muskets, and knocked down the sentries with the butt-ends. They then lowered the drawbridge so as to admit, at the same moment, the grenadiers from D'Armagnac's house, who assailed the interior of the citadel. The united force had little difficulty in securing a bastion, armed with 15 guns, which commanded the entrance and the ditch, so that the French General was in possession of the ramparts before the Spaniards could, individually, shake off the French soldiers, who held them fast. D'Armagnac then proceeded to announce to the Viceroy that, as his division would be obliged to remain at Pampeluna for some days, it was necessary, for the safety of his men, that they should hold the citadel, in concert with the garrison, but that it would not make any difference in the alliance between the two countries, or in the intercourse and friendship of the soldiery themselves. It had been a kind of proverb in Spain since Cisneros dismantled Navarre, that 'the possessor of Pampeluna is master of the province, and the possessor of the citadel is master of Pampeluna.' If so, then the French General had already secured Navarre."

room "to escape the rain."  
On given signal they seize arms of Spanish soldiers from arm-racks, knock down sentries, lower draw-bridge, and admit armed Frenchmen.

Cust (as above), p. 76.

San Sebastian was seized in a somewhat similar manner, partly by artifice, partly by treachery, partly by force, altogether by surprise.

San Sebastian similarly seized.

#### CASE LIX. (1808.)

The following passage will show the curious position in which we this year stood toward Russia—fighting her, and yet, because not actually at war with her, afraid to take too vigorous action.

Anglo-Russian half-hearted hostilities without "war."

"Admiral Kanikoff set sail with the Muscovite fleet, and omitted no opportunity of attacking the Swedish squadron with superior forces; but the next day the British fleet, under Sir James de Saumarez, having joined the Swedes, with some ships of the line, the Russian Admiral was glad to make the best of his way to his own harbours. A chase ensued, in the course of which two British line-of-battle ships, under Sir Samuel Hood, took a Russian seventy-four gun ship; and the Admiral having, with signal incapacity, sought refuge in the open harbour of Baltisch Port, on the Russian coast, his whole fleet might with ease have been destroyed. But the British Commander prudently, and agreeably to his instructions, abstained from an act which, how glorious soever, might have inflamed the national feeling of Russia, and converted a doubtful into a real enemy. He therefore contented himself with blockading it there, till the approach of winter obliged him to withdraw from the Baltic."

Alison, Vol. X, p. 513. (Edition of 1849.)

July 29th.

Alison, Vol. X, p. 514.

#### CASE LX. (1807.)

England was this year at peace with America. "The 'Chesapeake,' an American frigate, was cruising off Virginia, and was known to have some English deserters on board, when she was hailed by the 'Leopard,' of 52 guns, Captain Humphreys, who made a formal requisition for the men. The American Captain denied he had them, and refused to admit the right of search; upon which Captain

Alison, Vol. XIII, p. 371. (June 23rd, 1807.)

Action by English captain. The case of the Chesapeake.

That American frigate is during peace time by mistake forced to strike.

Humphreys fired a broadside, which killed and wounded several on board the 'Chesapeake,' whereupon she struck, and the deserters were found on board, taken to Halifax, and one executed. The President upon this issued a proclamation, ordering all British ships-of-war to leave the harbours of the United States; but the English Government disavowed the act, recalled Captain Humphreys, and offered to make reparation, as the right of search, when applied to vessels of *war*, extended only to a *requisition*, but could not be carried into effect by actual force."

1811.  
Action of United States.  
Case of the "Little Belt," American Government without declaration intending to wage war against the single English ship "Guerrière," their frigate "President," by mistake, nearly destroys the "Little Belt."  
James, Vol. V, pp. 274 to 281.

### CASE LXI. (1811.)

In this year the American Government, annoyed by the action of the Commander of the English frigate "Guerrière" in seizing deserters who had found refuge on board American ships, issued orders for a large frigate, "The President," to go in pursuit of the "Guerrière." By mistake the ship thus commissioned became involved in a fierce fight with a small English sloop, "The Little Belt," which lasted about half-an-hour. The most extreme irritation was produced in both countries against one another, but war was not proclaimed for more than a year afterwards.

### CASE LXII. (1812.)

1812.  
Alison, Vol. XI, p. 3. (Edition of 1849.)  
(June 25th, 1812).  
Napoleon, "by sudden attack on troops at Kowno," declares war with Russia.

Napoleon's great invasion of Russia was (to quote the words of the Emperor Alexander's proclamation) *itself* the declaration of war. "For long we have observed the hostile proceedings of the French Emperor towards Russia, but we always entertained the hope of avoiding hostilities by measures of conciliation; but seeing all our efforts without success, we have been constrained to assemble our armies. Still we hoped to maintain peace by resting on our frontiers in a defensive attitude, without committing any act of aggression. All these conciliatory measures have failed: the Emperor Napoleon, by a sudden attack on our troops at Kowno, has declared war."

### CASE LXIII. (1812.)

1812.  
Action of United States, American Congress endeavours by sudden hostile expedition to surprise England.  
James, Vol. V, p. 356.  
Cust, Vol. VIII, p. 277.  
Alison, Vol. XIII, p. 377.

In this year war was declared by the United States against England. Scarcely any case shows more clearly how little such an act has been regarded as a mode of giving notice to an intended enemy. Indeed the wording of the Declaration made it an announcement, not of an intention hereafter to carry on war, but of the "actual existence of war between the United Kingdom of Great Britain and Ireland and the United States of America."

The English Government had despatched an envoy, Mr. Foster, to Washington to endeavour to adjust existing differences with the States. Whilst he was engaged in these negotiations, Congress voted a large increase to the American army and the contraction of a loan.

"The object of the Americans in thus precipitating hostilities was to secure the capture of the homeward-bound West India fleet, which was expected to cross the Atlantic in May or June, before the British Government was so far aware of their designs as to have prepared a convoy; and they made no doubt that on the first appearance of an American force, the whole of Canada would, as a matter of course, fall into their hands. With this view, in the beginning of April, a general embargo was laid by Congress upon all vessels in the harbours of the United States for 90 days—a measure which they hoped would at once prevent intelligence of their preparations from reaching Great Britain, and furnish themselves with the means, from their extensive commercial navy, of manning their vessels of war."

Alison (as above),  
p. 378.

"On the 18th of June an Act passed both Houses, by a majority of 79 to 49, declaring the actual existence of war between Great Britain and America; and hostilities were immediately ordered to be commenced."

The intended surprise did not take full effect, because, though nothing was known in England of the declaration of war, the English Commodore, Captain Byron, had by a fortunate accident spoken a New York pilot-boat, which had warned him of what was *likely* to happen. He, therefore, though uncertain up to the last moment, prepared for action when the American fleet appeared. "After a fierce engagement, having repaired the most material of her damages, the 'Belvidera' (Captain Byron's ship) steered towards Halifax, and on the 27th" (June) "anchored in the harbour, in company with two or three American merchant vessels, which, on receiving so unequivocal a proof that war had been declared by the United States, Captain Byron had ventured to detain; but all of which Rear-Admiral Sawyer restored, considering that the affair, after all, might have originated in some mistake of the American Commodore's. On the evening of the same day on which the 'Belvidera' anchored in Halifax, the 'Mackerel' schooner was despatched to England with the intelligence, and arrived in Portsmouth on the 25th of July," a month after the actual existence of a state of war had been voted by Congress.

James, Vol. V,  
p. 357.

James, Vol. V,  
pp 360 and 361.

The first notice  
of the war  
reaches England  
a month after the  
Congress vote.

It will be found to be an interesting study to compare the above statement of the facts with the pages of Mr. Green's history (Vol. IV, pp. 375 to 380, and 383). Nothing in those pages *conflicts* with the statement here given. But no one reading Mr. Green would be aware of the nature of the American action.

---

#### CASE LXIV (1). (1815.)

Murat had joined the allies after the battle of Leipsic, and had therefore at the peace remained King of Naples. On Napoleon's landing from Elba, Murat at once crossed his frontier, passed through the Papal States, despite the Papal protest, and attacked the Imperialists posted at Cesenay. "*The consequence was* a declaration of war against him by Austria." Up to the last he had professed friendship with Austria, and had asked for passage for 80,000 troops through Austrian Italy to enable him to demand recognition from France.

1815.  
Annual Register,  
p. 75.

Murat, King of  
Naples, attacks  
Austria without  
notice.

## CASE LXIV (2). (1816.)

1816.  
Annual Register,  
1816, pp. 159 and  
160; 1817, p. 124,  
Portugal during  
peace seizes  
Spanish Monte-  
vidio.

Annual Register,  
1817, p. 124.  
All Europe pro-  
tests. No Power  
acts. Portugal  
retains her con-  
quest.

In this year the Portuguese Government suddenly invaded the Spanish territory of Montevideo, under circumstances which may be best recited in a memorandum signed by all the Great Powers. "At the very moment when a double marriage seemed to bind more closely the family ties already existing between the houses of Braganza and Bourbon, and when such an alliance was to render the relations between the two countries more intimate and more friendly, Portugal has invaded the Spanish possessions on the river Plate, and invaded them without any explanation whatever, and without any previous declaration." Nevertheless Portugal retained Montevideo, and no Power actively interfered with her.

## CASE LXV. (1818.)

President's mes-  
sage to congress.  
Annual Register,  
p. 170 to 177.  
United States,  
during peace  
with Spain,  
seizes Pensacola  
and St. Marks.  
Annual Register,  
p. 176.

In this year the American Government, on the ground of the failure of the Spanish Government properly to repress hostile incursions of Indians into American territory, dispatched a force which crossed the frontier into Florida, and the United States' General, finding reason to suspect certain Spanish officers of connivance with the Indians, seized the two strong places of Pensacola and St. Mark's.

"In entering Florida," says the President in his message to Congress, "to suppress this combination, no idea was entertained of hostility to Spain, and however justifiable the Commanding General was, in consequence of the misconduct of the Spanish officers, in entering St. Mark's and Pensacola to terminate it, by proving to the savages and their associates that they should not be protected even there, yet the amicable relations existing between the United States and Spain could not be altered by that act alone."

Remarkable  
claim of Ameri-  
can President by  
"law of nations,"  
Annual Register,  
p. 174.

The message of President Monroe is remarkable in that whilst it declares that in fact the power of Spain was too weak to be treated as for the time being the actual holder of the territory, yet—"Even if the territory had been exclusively that of Spain, and her power complete over it, we had a right, by the law of nations, to follow the enemy on it, and to subdue him there."

## CASE LXVI. (1821.)

1821.  
Annual Register,  
p. 260 (and Re-  
gister for 1822).  
French ship  
seized by  
America during  
peace.

In this year a French ship was seized by the United States, on the ground that she was engaged in an alleged unlawful traffic between Florida and Louisiana. That and other grounds for hostility between the two countries were subsequently settled by negotiations, and did not lead to war.

## CASE LXVII. (1823.)

In this year France was under the Government of the restored Bourbons. The most extravagant doctrines of divine right were propounded by the King in a public address to the Chambers, in which he announced his intention of invading Spain, in order to put down the constitutional government, and to restore the autocratic authority of King Ferdinand. The following discussion took place *in a secret session of the Chambers*, and will show not only that hostilities had preceded the avowed invasion, but that the most pacific portion of the Ministry was obliged to speak on the defensive, against the charge of not having acted with sufficient energy in surprising Spain, and were obliged to prove that, as far as the interests of France had permitted them, they had done so.

"After the proposed address, which was entirely conformable to the principles and views disclosed in the speech from the throne, had been read, M. de Bourdonnaye, a violent Royalist, ascended the tribune. He attacked, in general terms, the conduct of that party in the Ministry who at one time were, or were supposed to be, unfriendly to the war. By postponing hostilities so long, time had been allowed to the Spaniards to prepare themselves, whilst, by deciding at an opportune period, M. de la Bourdonnaye thought they would have been taken by surprise, and victory rendered easy."

\* \* \* \* \*

"M. de Villèle, in reply to the attacks directed against him, said at the period when he was reproached with having testified pacific intentions, the state of the finances and the army did not permit France to commence war; that the Government then did everything that was in their power, by favouring the internal dissensions of Spain; that unseasonable preparations would only have exposed Ferdinand to danger. "Everything," said he, "which could be done against the constitutional system was done. It was difficult to supply the extravagant demands for men and money made by the chiefs of bands; but assistance was given them, insurrection was stirred up wherever it was possible."

It is noteworthy that the proclamation which was issued by the Duke D'Angoulême is throughout in harmony with the following words of it:—"Spaniards! France is not at war with your country."

\* \* \* I am going to cross the Pyrennees at the head of 100,000 Frenchmen; but it is in order to unite myself to the Spaniards, friends of order and of the laws, &c., &c."

1823.  
France under Bourbons, in name of divine right of kings, invades Spain.

Opinions expressed in secret sitting of Chambers. Crime of Ministry that they had not surprised Spain without declaration.

Annual Register, 1823, p. 154.

Ultra Royalist view.

Ministerial defence. "They have carried out during peace time all the hostilities they could: only the interests of France, which was not ready, prevented their doing more."

France "not at war" with Spain during invasion.

## CASE LXVIII. (1826.)

In this year a constitution was established in Portugal. King Ferdinand of Spain, alone of all the Powers of Europe, under different pretexts, delayed recognising the Government of Portugal. Whilst his Ambassador resided at Lisbon, and whilst the Portuguese Ambassador remained at Madrid, he whilst offering the most pacific assurances and meeting by deliberate falsehood\* all charges against

1826.  
Annual Register, Chapters VII, XI, and XII.

King of Spain carries on hostilities against Portugal with wilful falsehood, without declaring war, but professing friendship.

Annual Register, p. 333.

\* Annual Register, pp. 335, 337, &c., and p. 191. King's Speech in Parliament, p. 192. See also as to Ferdinand's complicity, Annual Register, 1827, p. 249, note.

his Government, organised, armed, and equipped bands of rebel Portuguese hostile to the Constitution, and despatched them across the frontier in August and October. Ferdinand's fondest desire was to witness the downfall of the Constitution, "and his only anxiety to conceal his share in the conspiracies by which it was attacked."

At length, on the 22nd and 23rd of November, not only rebel bands but Spanish cavalry, infantry, and artillery, entered Portugal, seized on the one side Braganza after two or three days' siege, and on the other Villa Vicosia, by surprise. The Spanish Ambassador was still at Lisbon, the Portuguese at Madrid. All the assurances of Spain to Portugal, and to England also, were of the most pacific character. In the most positive terms the Spanish Government had denied that any preparations of any kind were going on. By the carelessness of a Spanish Minister (the only one subsequently disgraced), the actual orders for all the steps that had been taken, issued by the Spanish Government itself, fell into the hands of our Ambassador at Madrid.

Annual Register,  
p. 338.

The calculation of Ferdinand was, that in consequence of the absolute falsehood with which he acted, the progress of his troops and the Portuguese rebels would be "too rapid to admit of Portugal receiving friendly assistance from Great Britain."

England, with-  
out declaring  
war on Spain,  
despatches troops  
to fight the  
Spaniards.

We instantly met the case by the only action by which Portugal could be saved. We waited to issue no warning of war, or declaration of war to Spain. The evidence is clear that Spain never in the least, in her aggression, calculated at all upon war with England, expecting us to enter into diplomatic remonstrances whilst she set up a government in Portugal, according to her own liking, and then warned us off from war against the established Government of Portugal.

What we did may be best told in the words of Canning's speech of Tuesday, December 12th, 1826:—

Canning's state-  
ment.

"It was only on last Friday night that this precise information," of the actual invasion of Portugal, "arrived. On Saturday His Majesty's confidential servants came to a decision. On Sunday that decision received the sanction of His Majesty. On Monday it was communicated to both Houses of Parliament; and this day, Sir, at the hour in which I have the honour of addressing you, the troops are on the march for embarkation."

The House of  
Commons all but  
unanimous.  
Minority of three  
or four look upon  
"declaration of  
war" as more  
important than  
actual war.

In the Commons, Mr. Hume moved an amendment to an Address in reply to the King's message. The amendment was supported by three or four, and not put to the vote; one of those who took this side maintained that had Spain "declared war," we should have been right in moving troops to support Portugal; but that as Spain was, in fact, seizing Portuguese fortresses and conquering the country, without declaring war, we had no grounds for action.

In the Lords, the Address approving of the action of the Ministry, was voted unanimously.

Annual Register,  
p. 195.  
Mr. Canning's  
view of "making  
war."

In fact, the arrival of our army enabled the Portuguese to sweep the Spanish troops and rebels out of Portugal with extreme rapidity; yet throughout there was no declaration of war against Spain at all. Mr. Canning declared that, by our driving the Spanish troops out of Portugal, we "according to the universally admitted construction of the law of nations, neither make war upon Spain, nor give to Spain, much less to any other Power, just cause of war against ourselves."

---

## CASE LXIX. (1827.)

Fresh aggressions by Spain upon Portugal took place this year, despite the most pacific assurances on the part of the Court of Spain. The English army advanced as far as Coimbra. The Portuguese troops, supported by the English forces, which held for them all the ports and fortresses, so that the entire body of the Portuguese could be thrown forward into line of battle, completely triumphed.

1827.  
Annual Register,  
Chaps. IX and X.

These Portuguese successes alone prevented actual collision between the English and Spanish troops.

## CASE LXX. (1827.)

This was the year of "Navarino." At the moment when the Turkish and Egyptian fleets were destroyed by the English, Russian, and French in that harbour, the Ambassadors of all these Powers were residing in Constantinople. England, Russia, and France had entered into a treaty, on July 6th, to put an end to the contest between the Port and Greece. The object of the treaty was declared to be the *effecting a reconciliation* between the Porte and its Grecian subjects; and the Porte and Greece were informed that the allies intended to enforce an armistice, "*but without taking any part in hostilities themselves.*"

Annual Register,  
1827, Chap. XII.

Turkish fleet  
destroyed by  
Russia, England,  
and France  
without warning  
of war.

Annual Register,  
Public Docu-  
ments, p. 405.

## CASE LXXI. (1828.)

In this year Russia declared war upon Turkey. The actual declaration had been preceded by many acts of hostility. Each Power was solely endeavouring for a long time beforehand to gain time by professing an anxious desire for peace.

1828.  
Annual Register,  
Chap. XI.

Russo-Turkish  
war. Hostilities  
on both sides  
precede "war."

## CASE LXXII. (1828.)

In this year a French expedition of 22,000 men sailed for the Morea. Five fortresses were in possession of the Turks. On the 6th October, Navarin was summoned to surrender, and the demand was supported by a body of French troops under the works, ready to commence operations. The answer of the Turkish Governor to the summons will best state the situation: "The Porte is not at war with the French or the English; no act of hostility will be committed; but the place will not be given up."

1828.  
Annual Register,  
p. 243.

French expedi-  
tion against  
Turks in Greece.

"Porte not at  
war with  
France."

Annual Register,  
p. 244.

A similar reply was returned by the Governors of all the five fortresses, all of which were taken, not without in one case a vigorous bombardment maintained for a week.

## CASE LXXIII. (1831.)

1831.  
Annual Register,  
pp. 453 to 455.

Action of Austria  
against states of  
Parma, Modena,  
and Rome.

Insurrections having broken out, and revolutionary governments having been established in Parma, Modena, and the Papal States, the Austrian army crossed the Po in the beginning of March, invaded in succession each one of these States, and restored the former governments. France had declared that she would not permit Austrian troops to interfere in any quarrel between an Italian Prince and his subjects. The French Government, however, did not interfere with the action of the Austrians.

## CASE LXXIV. (1831.)

1831.  
Annual Register,  
pp. 457—459.

Hostilities of  
Russia against  
Greeks.

Throughout this year hostilities were going on of the most active kind between the Russian fleet and the Greeks, who had revolted from their President, a partisan of Russia. Naturally there had been no declaration of war, but nevertheless the Russians fired into, sank, and captured Greek ships, and joined in a formal attack upon Poros.

## CASE LXXV. (1831.)

1831.  
Annual Register,  
Chap. XIV.

English expedi-  
tion against  
Portugal.

French expe-  
dition against  
Portugal.

At first only in  
nature of retri-  
butions.

Annual Register  
(History), p. 446.

The reign of Don Miguel in Portugal in its reckless tyranny and injustice towards both his own subjects and those of foreign Powers, gave occasion this year to two expeditions—one English and one French—against Portugal.

Our old treaties of alliance with Portugal were declared by Lord Palmerston not to be suspended; but six ships-of-war were despatched to Lisbon to dictate certain terms. If these were not complied with, the squadron had orders to carry out reprisals against Portugal by bringing to England all vessels bearing the Portuguese flag. The Portuguese Government gave in at once to the display of armed force.

Under similar provocation, the French Government despatched a fleet to the Tagus. Its demands were not complied with, and reprisals were commenced by the French. The capture of Portuguese merchantmen produced no redress. Whereupon a fresh expedition was sent to the Tagus. The Portuguese Government proposed to treat under the mediation of England. The French Admiral thereupon forced the entrance of the Tagus. No war had been declared, but the Admiral wrote at once to the Portuguese Government: "Here I am before Lisbon; but France, ever generous, will treat on the same conditions as before the victory. In gathering its fruits, however, I reserve to myself the right of adding thereto indemnities for the victims of the war."

The Portuguese now humbly accepted the terms proposed to them.

## CASE LXXVI. (1831.)

Nevertheless  
French Admiral  
carries off the

"No sooner, however, had these terms been agreed to, than the French Admiral seemed to think that he had gained an excellent

opportunity of making a show of a naval victory cheaply purchased. On the following day, he claimed the whole Portuguese fleet lying in the Tagus, as prizes of war. 'As the late event has given to France those rights which military success confers among all nations, it is my duty to exercise them. I have, therefore, the honour to declare to your Excellency, that I consider as French property the Portuguese men-of-war which lowered their flag under the fire of my squadron.' The 'late event' was the forcing the entrance of the Tagus, and coming up to Lisbon in defiance of the forts."

whole Portuguese fleet, and converts "reprisals" into "war."

Annual Register (History), p. 446.

The Admiral then made fresh proposals, to which the Portuguese would not accede, and the ships-of-war were conveyed to Brest.

### CASE LXXVII. (1831, 1832, 1833.)

The questions which arose this year, and which involved various hostilities during this and the following years between England and France on the one hand, and Holland engaged in dealing with Belgium, which had revolted from her, on the other, were of a very complicated character. Stated broadly, the facts were these. When, in 1830, Belgium revolted from Holland, the King of Holland, afraid of French interference, appealed to a conference of the Great Powers to confirm him in his treaty rights. The anxiety to prevent a European war was so great that when a conference assembled in London the respective rights of Holland and Belgium became very secondary matters.

1831.  
Action of England and France against Holland.

On the 19th February, 1831, the Great Powers declared that certain arrangements of settlement which had been set forth in a protocol of January 20th, 1831, and to which the King of Holland had agreed, were final and irrevocable: that upon certain conditions, the independence of Belgium should be recognised.

Annual Register (History), pp. 385 and 386.

Formal pledge to Holland of January 20, 1831.

The contract with Holland was express, and, on the faith of it, Holland had placed herself entirely in the hands of the allies.

Annual Register, p. 404.

Nevertheless, in order to ensure the election of Leopold, the Powers threw these engagements overboard, and sanctioned Leopold's accepting the crown, on the understanding that the terms of the protocol that were agreed on with Holland were to be violated, and that Luxembourg, which had been guaranteed to Holland, should be added to the Kingdom of Belgium.

On the reversal of this bargain.

Thereupon the King of Holland, announcing his intention at the various Courts, poured his troops into Belgium, and, in a nine days' campaign, completely crushed the Belgian forces.

Holland reconquers Belgium.

"In the pursuit, the Prince of Orange was met by a British messenger from the Hague, bringing intelligence that a French army had entered Belgium to support the new King—the Conference having determined," as the Annual Register puts it, "that Holland should not be allowed to enforce the engagements, the fulfilment of which they were themselves bound to have compelled. \* \* \* The march of the French army, however, had been the act of the French Government, without any communication with the allies."

Annual Register (History), p. 407.

French army moves to drive out Dutch without warning or notice.

The story of our transactions with Holland in 1832 entered upon a new phase. Negotiations had been going on in London, having it for their object to force Holland to give up various conditions which united Europe had guaranteed to her by the Convention of 19th February, 1831.

1832.

On the 22nd October, 1832, a convention was agreed upon between England and France, in accordance with which they warned the King of Holland that their *intention* was to proceed to enforce the execution

See text of convention, "Public Documents," Annual Register, 1832, p. 360.

See text of note addressed by the English Commissioners as above.

France and England present ultimatum.

Annual Register (History), p. 364.

Holland has reason to suppose that the ultimatum is not to be regarded as final notice of war.

Annual Register (History), p. 365.

Nevertheless England and France act instantly.

Annual Register (Public documents), p. 367.

Holland's formal statement of case. Looks upon English action as complete surprise.

of a treaty which had been contracted in direct violation of the agreement of 19th February, 1831, without obtaining the consent of Holland.

The note which conveyed this warning further stated, that unless "a final and satisfactory answer" were given before "the 2nd November, the undersigned is to declare that a naval and land force will be put in motion by the two Governments of France and England; and if, on the 15th November next, the evacuation of the citadel of Antwerp, and of the forts and places depending on it, should not have been completely effected by the troops of the Netherlands, all the necessary measures will be taken to bring about that result." This was presented on October 29th, at the Hague. But on October 23rd, Holland had accepted terms presented by Prussia, acting also for Russia and Austria.

Having up to this time been engaged in dealing with the five Powers united, Holland understood that negotiations were still going on. She did not understand that the Anglo-French note was to be considered as a virtual declaration of war, more especially as at the time it was despatched, the fact of the acceptance by Holland of the terms presented by Prussia could not have been known in London.

When therefore, on November 6th (1832) orders were issued for the seizure of all Dutch vessels in English ports, and when on November 4th an expedition actually sailed from the English ports with orders to seize Dutch merchantmen, and blockade the Scheldt, these measures had all the effect of a surprise.

The case was thus put by Holland in a formal protest delivered by her Plenipotentiary then in London. "The undersigned has received orders to protest, in the most formal manner, as he does by this present note, against this measure, which by the law of nations is incompatible with the security and respect due to the navigation of friendly Powers; and to demand from the justice of the English Government, and from its regard for the law of nations, the immediate revocation of the embargo just laid on the Netherland vessels, which, confiding in the faith of treaties, are in the ports of England, as well as the revocation of the orders issued to detain at sea those sailing under the Netherlands' flag."

The Dutch Plenipotentiary's personal view of the state of things had been already given in a paper of November 8th, in which he referred to the orders for the embargo as "measures which seem so contrary to the intimate and amicable relations existing between the Netherlands and Great Britain."

No other declaration of war of any kind preceded the Dutch War and the siege of Antwerp.

### CASE LXXVIII. (1832.)

1832.  
Annual Register (History), p. 393.

Action of France against Pope. Capture of Ancona by sudden surprise during absolute peace between France and Rome.

In this year France was on the best terms with the Pope. A specially friendly despatch had been sent to him by M. de Saint Aulaire on January 12th. But on February 22nd, a French squadron having on board a body of troops, "came to an anchor off Ancona, which was garrisoned by Papal troops, and had always been submissive to the Papal authority. On the following day, the captain of the port, in the name of the Papal Government, went on board the squadron, to offer its commander whatever his vessels might stand in need of. The French officer expressed his thankfulness for these kindly offers, and stated he would enter the harbour on the morning of the 23rd, firing the usual salutes, which were to be returned by the forts. The etiquette to be observed, in case the commander of the squadron should land, was

likewise agreed on. Nothing occurred which did not denote the most friendly understanding. The French, however, instead of acting as had thus been arranged, clandestinely landed 1,500 men during the following night. These troops began by taking possession of one of the gates, which was not guarded. From thence they proceeded to take possession of the city, disarming the sentinels and Papal guards. They surrounded the house of Colonel Lazzorini, commandant of the city and fort, telling him he was a prisoner of war until he should order the citadel to be delivered up to them. On his refusal, he was put into custody, and the Papal officers, soldiers, and functionaries were likewise declared prisoners, being allowed, on their parole, the range of the city. At the same time sentinels were placed over the palace of the prolegate, to prevent communication between him and the citadel, and he was requested to order the cession of the fortress, in order to avoid bloodshed. Instead of yielding to this demand, he formally protested against the proceedings of the French, as being an unjustifiable and unprovoked aggression on the sovereign rights of the Holy See. The French then entered into negotiation with the officer commanding the citadel for its surrender. They gave him his choice of either marching out with the honours of war, or of admitting an equal number of French troops with his own to perform the duties of the garrison. A council of war adopted the latter alternative; a body of French troops entered the citadel, and the French flag was hoisted alongside of the Papal on a pontifical fortress. These proceedings were no sooner known at Rome than the Papal Government protested to the French Ambassador against this violation of his territory, and forcible usurpation of his rights. He demanded that the French troops should be immediately withdrawn from Ancona, and made the French Government responsible for all the consequences of what had been done. Neither would he allow his troops to remain at Ancona, as if consenting to the equal rights of France over a pontifical city, but disclaimed the convention, and ordered them to quit the town."

Annual Register  
(History), p. 394.

---

#### CASE LXXIX. (1834.)

This year Savoy was suddenly exposed to an inroad of a very curious kind. Four hundred revolutionary Poles gathered, armed and organised themselves in Switzerland, and breaking suddenly into Savoy proclaimed "liberty, equality, and fraternity." The vigilance of the Savoy Government suppressed the disturbance.

1834.  
Irregular invasion of Savoy from neutralised Switzerland.  
Annual Register, Chap. XV.

---

#### CASE LXXX. (1834.)

In this year a treaty was entered into by England and France and two claimants of the thrones of Spain and Portugal. Don Miguel had been for many years the *de facto* King of Portugal. Don Carlos was in arms for the recovery of, what he claimed as his right, the throne of Spain. We undertook to supply arms and a naval armament to expel both Don Miguel and Don Carlos from the Peninsula.

1834.  
See text (Public Documents),  
Annual Register, pp. 344 to 364.  
Action of England and France.  
Support by arms claimants of thrones of Spain and Portugal.

The treaty was signed in London on April 22nd (1834), and contained a provision that "a declaration to the Portuguese nation" should be immediately issued. *But*, by the middle of April, that is, *before this treaty was ratified in London*, a Spanish army crossed the Portuguese

Annual Register  
(History), p. 392.  
Spanish army without notice crosses Portuguese frontier.

Annual Register  
(History), p. 393.

frontier, and by a forced march surprised and defeated the force under Don Carlos. The men fled before the unexpected attack, and all the baggage fell into the hands of Rodil. It was of more importance that Don Carlos had not been able to save a single regiment." The result, which was secured *before the treaty was finally ratified*, was the final surrender of Don Miguel, and the temporary crushing of Don Carlos.

1835.

Fighting continued throughout this year in Spain, Don Carlos having made a fresh descent upon the coasts of that country. On the 10th June, by an Order in Council, the operation of the Foreign Enlistment Act was suspended. An English brigade was enlisted under Colonel Evans (afterwards Sir de Lacy Evans), and fought in Spain throughout the latter part of the year.

1836.

The fighting in Spain continued this year, but the debates in Parliament upon the subject are for several reasons more pertinent to the subject of this paper than any further account of our hostilities in Spain without war.

Lord Palmerston's defence of English action in Spain.

Annual Register  
(History), p. 265,  
Column I.

Precedents from  
reign of Queen  
Elizabeth.

Lord Palmerston being challenged as to our action in interfering in Spain, justified himself in the following manner:—

\* \* \* "Precedents," he said, "would have justified the Government in doing even more. Queen Elizabeth sent assistance first to the Huguenots of France, and next to the revolted subjects of Spain in the Low Countries. In these cases she not merely left her subjects at liberty to go to their aid, if they chose, but she did that which Ministers had been falsely and unjustly accused of doing—she did in an underhand manner what she did not choose to do openly, and being restrained by prudential reasons from publicly declaring war, she gave permission, in her own name, to her subjects to join the insurgent forces, supplying them with money: and she despatched 6,000 men to aid the insurgents in the Low Countries, whom she raised at her own expense, and furnished with trains of artillery. What happened in the revolt of the Low Countries? The army of Prince Maurice was composed of persons of all nations, whose adventurous spirit and love of freedom led them to fight in its ranks, and seek for distinction in the victories he gained. At the battle which took place at Nieuport, the British auxiliaries, under Sir Philip de Vere, were mainly instrumental in gaining the victory there achieved. When Ostend was taken a few years afterwards, who were the officers who commanded the garrison? Edmonds, a Scotchman, and Martine, a Frenchman, were among the number, while Sir Philip de Vere was in the army which carried on the operations of the siege. To say, therefore, that for the subjects of one country to engage in the contests of another, was contrary to the law or practice of nations, and that an antagonist of such volunteers might justly threaten to refuse them the privilege of prisoners of war, as Don Carlos had threatened to do, was a proposition at variance with all history."

Lord Palmerston's deduction as to lawfulness of unofficial war.

"The cause and the limit of the interference, again, rested on the plain principle of assisting Spain to maintain her independence, so far as our power went, while we avoided enterprises beyond our means, and attempts that might involve us in a war which it would be unwise or dishonourable to undertake."

Sir Robert Peel's reply, pointing out the mode in which foreign nations will apply Lord Palmerston's precedents.

Sir Robert Peel's reply so accurately represents the view which would certainly be taken by a foreign nation which desired to quote the action of England as a precedent for attacking England herself by indirect means that they too may conveniently be here quoted.

"If these principles were correct, there never yet was a government, it being itself the sole judge of the necessity, which had not a right

or, if it had not, could not make out for itself a right, to interfere in the domestic concerns of its neighbours. Although we might be deeply interested in the commerce of Spain, was that a sufficient justification for our present interference? Or if it was to be justified because we had an interest that a free government should be established in Spain, a similar allegation might be made by the despotic governments of the Continent as their justification for checking the growth of nascent freedom in any of the States in their vicinity. Prussia or Austria, for instance, might allege, 'Our interests are opposed to the establishment of democracy, or to the maintenance of popular government, in the neighbourhood of our territories, and on the same principle on which England, possessing a popular government and a free constitution, has interfered in Spain to procure the establishment of a similar political system in that country, do we justify ourselves in promoting a system of despotism, and in crushing the first attempts to establish a just and rational liberty.' "

Annual Register  
(History), p. 266.

Despots to spread  
despotism, Re-  
publicans repub-  
licanism, may  
by same rule  
justify non-  
official war.

### CASE LXXXI. (1836.)

The Polish town of Cracow had by the Congress of Vienna been guaranteed an independent neutrality as a free Republic. It had, as Sir Stratford Canning put it, "been placed under the strongest guarantee that the morality and civilisation of Europe could afford." Great Britain was an immediate party to the separate and independent treaty by which the neutrality and independence of the Republic had been guaranteed. Yet the Three Powers addressed a joint note to the Republic, making certain demands on it to be complied with within eight days, and as the Senate began to enter into negotiations, the Three Powers without notice marched in their armies and occupied the town.

1836.  
Guaranteed  
Cracow, under  
strongest secu-  
rity "Europe  
could afford,"  
is seized by  
armies of Russia,  
Prussia, and  
Austria.  
Annual Register,  
1836, Chap. XIII,  
and pp. 272—276.

The strongest possible language as to the act of the Three Powers, the insult to England, the attack upon England's honour, was used in the House of Commons. But neither ship or man was moved by England or by France in support of their guarantee.

### CASE LXXXII. (1835, 1836.)

"Texas, the most northerly, was likewise one of the most fertile of the Mexican provinces, stretching along the shores of the gulf, and extending to the confines of the territory of New Orleans. In the end of 1835 its inhabitants raised the standard of revolt against the Mexican Government, and declared themselves independent." \* \* \* "The population of Texas consisted, in a great degree, of emigrants from the United States—their very presidents and generals were Burnets and Houstons; great part of the land was in the hands of American speculators, and both of these factions wished a separation from Mexico, under whatever pretext it might be accomplished." \* \* \*

1835.  
Annual Register  
of 1836.  
(History), pp. 446  
and 447.  
Action of United  
States against  
Mexico.  
First emigration.

"The revolted Texians, accordingly, received assistance from their adjoining neighbours of the United States, and expeditions against Mexico were openly fitted out at New Orleans. In November, 1835, General Mejia, a Mexican leader, whom Santa Anna had forced into exile, sailing from that harbour, made an attempt on Tampico, with a force consisting partly of Texians and partly of Americans. He was unsuccessful, and the authorities of Tampico, as American privateers,

2nd unofficial  
war.

issuing from the harbours of New Orleans and Mobile, threatened new alarms, issued orders that no American vessels should be allowed to visit the ports of Tampico or Matamoras. This again was used by the Texian Americans to raise an outcry, as if the American flag had been insulted, and the rights of American citizens violated; for one object of the faction was to produce a war, if possible, between Mexico and the United States, which would have rendered the separation of Texas from the former much more easy than it promised to be if the Texians were left to accomplish it by their own efforts and resources."

3rd, Independent Texas.

Finally, the American bands defeated the President of Mexico, and established a Texian Government, which was subsequently annexed to the United States.

---

### CASE LXXXIII. (1838.)

1838.<sup>1</sup>  
Annual Register.  
See Report of  
Debates, Mr.  
Thompson's  
speech (History),  
p. 487.

Action of United  
States.  
Unofficial war  
against Canada.  
Annual Register  
(History), p. 16.

During this year an invasion of Canada took place under circumstances which were well described in the United States Congress as such "that the people were at war while their Governments were at peace."

Mr. McKenzie, a Canadian Republican, who had been defeated by the loyal militia of that country in an attempt at rebellion, "fled in disguise to Buffalo in the State of New York. Here he succeeded in animating the inhabitants with a strong desire to become the possessors of Upper Canada. Great numbers of men enlisted as soldiers, with the avowed object of invading that province, and establishing a Provisional Government. Public meetings were convened, volunteers called for (the very women inciting them to enlist), and arms, ammunition, and provisions openly contributed. Nor did the so-styled 'sympathisers' rely entirely on the resources and the liberality of private individuals. The State arsenals were laid under contribution, and whether obtained by stealth or by violence, artillery and munitions of war belonging to the American Government, were, in the most public manner, and in the face of the American authorities, employed for the purpose of invading the British territory."

---

### CASE LXXXIV. (1840.)

1840.  
Action of Russia,  
England, Prussia,  
Austria.

The Pacha of Egypt had revolted from the Sultan, and brought the Porte to the verge of ruin. The circumstances under which hostilities on the part of England actually commenced against him, are scarcely relevant to the present question, because not dealing with Egypt as an independent Power, our mode of making official announcements to the Pacha was to make them through the Sultan; but several incidents in the long correspondence between the European Powers are of importance as showing the views of European statesmen on the proper steps to be taken by States in these matters.

Lord Palmerston's intended orders for action to English Admiral.

Annual Register  
(Public Documents), p. 453.

France had separated herself from the action of the other Powers, and her refusal to acquiesce in the measures proposed by England for a long time delayed our overt action. Had it not been for this, Lord Palmerston's intention had been to address to the English Admiral, Sir Robert Stopford, instructions [to use his discretion, according to circumstances as they arose.

After detailing what these should be he proceeds:—"But it might

happen that the army of the Sultan might have suffered a great defeat, and that measures of extreme vigour might become necessary to stay the advance of the Egyptians, and to save the Turkish empire. In this case the Admiral would be authorised to have recourse to any measures of compulsion which he might think to be within his means, and which he might consider likely to induce the Pacha to give the necessary orders for stopping the advance of his army, and for bringing it back within the limits of Syria."

"In such an event, it is also possible that a Russian force, either naval or military, might enter the ports and territory of Turkey, with the professed object of protecting the Sultan, and of repelling the Egyptian invaders.

"In such a case, and after the Admiral had obtained from the Pacha the order for the retreat of his troops, and after he had received certain information that such order had been obeyed, it would be extremely desirable that the British squadron should proceed to Constantinople, and should remain there, or in the Black Sea, until the Russian forces had evacuated the Turkish territory.

"There would be time for the Admiral to communicate on this matter with Her Majesty's Ambassador at Constantinople, for the purpose of ascertaining in what manner this measure could best be executed; and having stated to the Admiral their opinion on this point, Her Majesty's Government must leave it to his discretion to determine whether, in the event of permission to pass not being granted, the force under his command would be strong enough to force the passage, without sustaining such an amount of loss in men, and of damage to the ships, as would cripple the squadron and unfit it for any useful operation after the passage had been effected.

But more vigorous proposals by far, and more definite views on the subject of the relation between war and peace, had been propounded by Baron Brunnow, the Russian Ambassador.

He offered various alternative schemes for action, but the pith of them in this respect is summed up in these words:—"To execute all these measures with the greatest promptitude, and with the greatest secrecy. Promptitude, because it is the only means of ensuring their success; secrecy, because the blow must first be struck before it is announced."

Finally, a secret treaty was concluded between England, Russia, Austria, and Prussia, in which the principle of Baron Brunnow's Minute was fully accepted for by Article II, though the Sultan was to communicate with the Pacha, and give him ten days' warning before certain terms were enforced, which were to increase in stringency as time went on, yet, "in the meanwhile, the Sultan having requested his said allies to unite with him, in order to assist him to cut off the communication by sea between Egypt and Syria, and to prevent the transport of troops, horses, arms, and warlike stores of all kinds from the one province to the other, their Majesties the Queen of the United Kingdom of Great Britain and Ireland, and the Emperor of Austria King of Hungary and Bohemia engage to give immediately to that effect the necessary orders to their naval commanders in the Mediterranean;" and moreover, in order that time might not be lost, the Plenipotentiaries independently undertook that before the formal ratifications of the treaty were exchanged, orders should at once be issued to the Admirals.

A further sequel to this matter is of some interest. The pacific views which Louis Philippe personally entertained alone saved this

"Substance of proposed instructions to Sir Robert Stopford."

Admiral, according to circumstances, to wage war against Egypt,

or carry out acts of hostility against Russia and Turkey.

Degree of semi-official war to depend on probable success.

Annual Register (Public Documents), p. 487. "Baron Brunnow's Memorandum on Eastern Affairs."

Views and proposals of Russian ambassador, Baron Brunnow

Annual Register, p. 489 (General Observations).

Brunnow's principle accepted by England, Russia, Austria, and Prussia.

Annual Register (Public Documents), pp. 446—452.

Annual Register, p. 447.

The Foreign Minister of France desires to treat the secret

treaty as an act  
of war against  
France.

Annual Register  
(History), p. 181.

Louis Philippe  
prevents the war.

St. Jean d'Acre,  
being not quite  
ready for war,  
and not expect-  
ing attack, is  
taken in three  
hours, with loss  
of 18 men by us.

country from instant war as soon as the fact of the conclusion of this treaty was communicated to France, which it was a few days after it had been concluded.

M. Thiers was at the time Minister for Foreign Affairs, and his view of the question was subsequently expressed in these words in the French Chamber :—"Yes, gentlemen, whenever Europe, the whole of Europe, should say to us, 'if you do not choose such and such a thing, we will do it without you, and in spite of you,' I would cry 'war.'"

The Ministry resigned rather than carry out the pacific wishes of Louis Philippe. The matter is relevant here in this way, that it shows the suddenness with which a friendly ministry may be converted into one ready for war; by an act conceived in a sense by no means hostile to them, and the effect of which upon them has been by no means foreseen.

As a question of *the time* in which a "formidable fortress" may be taken if attacked with short notice, it may be mentioned that St. Jean d'Acre, as Sir R. Stopford reports (see Sir R. Stopford's despatch, Annual Register, p. 547), "was fast getting into a state of preparation against attack, when a heavy cannonade from the ships and vessels, beginning at 2 P.M., and ending at 5, completely demolished the town, and materially damaged the fortifications, inducing the Egyptians to evacuate the place in the night."

---

### CASE LXXXV. (1840.)

Action of Eng-  
land against  
Naples.

1840.  
Annual Register  
(History), p. 210.

Orders to Ad-  
miral Stopford  
to commence  
active hostilities.

In this year we had a quarrel with the Court of Naples, because, having in 1816 contracted with us a treaty giving special privileges to English trade, the King, in June, 1838, granted a monopoly of the sulphur trade to a special company, which contained natives of other countries.

Our Minister had orders "to insist that the sulphur monopoly should be forthwith put an end to. He notified this to the Government, and after the delay of a few days, it was announced to him that the King in Council had determined not to consent to the demands of Great Britain, and did not consider the sulphur contract a violation of the Treaty of 1816. Prince Cassaro, however, considering his honour pledged by the note which he had written officially to Mr. Kennedy, refused to sign the communication to Mr. Temple, and sent in his resignation to the King, who immediately accepted it, and sent him into exile to Foggia, a small town, about 100 miles from Naples. The British Government immediately prepared to enforce its demands by sending orders to Admiral Sir R. Stopford, who commanded the Fleet in the Mediterranean, to hold himself in readiness to commence active hostilities against the Neapolitan flag. As to the right of England so to act there are some differences of opinion. The parties who were favourable to the monopoly took the opinions of Sir F. Pollock and Dr. Phillimore, who both considered it as no infraction of the Treaty of 1816, on the ground that it applied equally to the subjects of the King of Naples and all foreigners without distinction." \* \* \*

"On the 17th of April, 1840, the British ships-of-war in the vicinity of Naples commenced hostilities, and captured a number of Neapolitan vessels; and an embargo was laid on all in the ports of Malta that bore the Sicilian flag."

The Court of Naples gave way.

## 1844 to 1859.

---

### CASE LXXXVI. (1844.)

In this year the English Consul (Mr. Pritchard) at the Court of Queen Pomare of Tahiti, was seized by the French in the island. M. Guizot and Louis Philippe having the direction of affairs in France, the insult was explained and compensation granted, but the fiercer spirits in France would have gladly made it an occasion for war. There is, however, another view of the question, viz., that our Government was afraid to exact a proper apology. (See Admiral Bowles's "Pamphlets on Naval Subjects," and Lord Dunsany's "Our Naval Position and Policy.")

1844.  
English Consul  
seized by French.  
Matter settled  
peaceably.  
Annual Register,  
Chap. X.

---

### CASE LXXXVII. (1844.)

Hostilities by France against Morocco commenced by Prince de Joinville on not receiving a satisfactory answer to an ultimatum.

1844.  
Action of France  
against Morocco.  
Annual Register  
(France).

---

### CASE LXXXVIII. (1846.)

On the 13th May, of this year, the Congress of the United States, observing the same form which was used in the declaration of war against England, passed a resolution thus recited by the President—"The Congress of the United States, by virtue of the constitutional authority vested in them, have declared by their act bearing date this day, that by the act of the Republic of Mexico, a state of war exists between that government and the United States."

1846.  
Action of United  
States against  
Mexico.  
Annual Register,  
p. 327.  
Form of "decla-  
ration of war."

The President in his message to Congress recites many and various acts of hostility prior to any declaration of war, but the question which Power was the aggressor in these, turns entirely upon very elaborate points of fact and evidence which are beyond the province of this paper, and it certainly would not be fair or safe to follow the President, as if he were the author of an unbiassed statement of the case.

Annual Register,  
pp. 330—341.

---

### CASE LXXXIX. (1847.)

A revolutionary junta had been established in Portugal this year, and was carrying on war against the Queen. The war having dragged on for some time, England, France, and Spain agreed to interfere, but it was not considered necessary to issue any declaration or notice.

1847.

The mode in which our action commenced was as follows:—

"At the end of May the British fleet off that city (Oporto) consisted of the "America" frigate and three steamers, commanded by Sir Thomas Maitland. Steamers in the service of the Junta were suffered to enter the port and take troops on board. On the 31st of May, the Portuguese fleet sailed out of Oporto—a corvette and three armed steamers, one barque, one brig, and two schooners, transports: all containing about 4,000 troops, under the command of Conde das Antas. After they had crossed the bar, they were summoned to

Annual Register  
(History), p. 347.  
Action of Eng-  
land against de  
facto Govern-  
ment of Portugal.

"without declaration or pretext."

surrender, which they did without firing a shot. As soon as he was on board the English ship, the Conde das Antas presented to the British commander a protest, in the name of the Portuguese nation, against this act of hostility on the part of Great Britain without declaration or pretext."

---

### CASE XC. (1848.)

1848.  
King of Piedmont joins insurgents against Austria.  
Annual Register, Chap. X.

The Italian insurrectionary war broke out this year; the King of Piedmont at once joined his armies to those of the Italians, and the war, from its nature, was carried on without any formal notice.

---

### CASE XCI. (1848.)

1848.  
Action of Prussia.  
Annual Register, Chap. XI.

On the 6th April of this year, Prussian troops crossed the frontier of Holstein to oppose the troops of Denmark in support of rights claimed by the inhabitants of Schleswig-Holstein, who had appealed to Prussia.

Whilst Danish Minister still at Berlin, troops cross Danish frontier without declaration.

It was to the Minister of Denmark, then at Berlin, that a defence of this conduct was addressed by the Prussian Government. The actual crossing of the troops followed within three days of a popular vote in a General Assembly of Schleswig-Holstein. So rapid was the movement that it was not till six days later that the "Frankfort Assembly" passed a vote "authorising" the King of Prussia to "endeavour, by friendly means, to represent to the King of Denmark the necessity of evacuating the Duchy of Schleswig, and should this be of no avail, to order the troops of the Confederation to conquer it." The Danish Minister, still at Frankfort, offered an elaborate protest on April 28th, three weeks after the entry of the Prussian troops into Holstein.

---

### CASE XCII. (1848.)

1848.  
English and French Admirals of their own motion interpose by force to stop bloodshed in Sicily.  
See Lord Palmerston's speech, Annual Register for 1849, p. 19.

This year, with the subsequent full approval of their Governments, the English and French Admirals in the Mediterranean dictated a suspension of hostilities to the Neapolitan troops which were engaged in reducing a revolt in Sicily. Virtually it was an act of war towards a country with which we were at peace, for the only means of enforcing this order was the threat of employing actual hostility against the Neapolitan. The whole feeling of the two countries was with the Admirals, who stopped a further effusion of blood.

---

### CASE XCIII. (1849.)

1849.  
Action of French Republic against Roman Republic.

It is by no means easy within any brief space to give an idea of the extraordinary circumstances under which hostilities between France and Rome commenced this year.

The French Constituent Assembly was a thoroughly Republican body, full of eager sympathy for all revolutionary movements. It had been under the stimulus of the French Revolution that Rome had thrown off the Papal authority and constituted itself a Republic.

The policy of France had been directed towards putting restrictions upon the interference of Austria in Italian affairs.

On the 31st March a vote was carried in the French Assembly to this effect:—

“The Assembly declares that if the better to guarantee the integrity of the Piedmontese territory, and to protect the interest and honour of France, the Executive Power should think proper to support its negotiations by a partial and temporary occupation of Italy, the National Assembly would grant it its entire co-operation.”

Annual Register (History), pp. 238 and 239.

Assembly votes supplies in sense friendly to Italian independence and republicanism.

In accordance with this vote, on the 16th April, a credit was voted to support during three months an expeditionary corps, which was to go to Rome “to watch the progress of events,” and, in fact, to prevent the Austrians from anticipating the French in Rome. The expedition, 6,000 strong, under General Oudinot, reached Civit  Vecchia on April 25th, the news of the actual arrival of the troops having been the first notice which reached Rome.

Annual Register (History), p. 298.

With money voted on this plea, Oudinot's expedition is equipped.

General Oudinot received, some time after his arrival, a proclamation from Rome.

“The Roman Assembly protests in the name of God and the people against this unexpected invasion, declares its firm purpose of resisting, and holds France responsible for the consequences.”

Annual Register (History), p. 298.

Rome does not want Oudinot's help.

The Triumvirate governing Rome, had as yet so little knowledge of the meaning of the French expedition, that their proclamation to Rome on the subject commences thus:—

“Romans!—A foreign intervention threatens the territory of the Republic.”

Annual Register (History), pp. 298 and 299.

“A body of French soldiers has appeared at Civit  Vecchia. Whatever its intention, the salvation of the principle, which has been freely consented to by the people, the law of nations, the honour of the Roman name, command the Republic to resist; and the Republic will resist.”

and “the Roman Republic will resist” him.

On the 24th of April the French troops commenced their march on Rome, and on the 29th reached the neighbourhood of the walls. They seem to have been under a complete delusion as to the nature of the reception that awaited them; and in an attempt to enter the city, hardly anticipating any resistance, part of their advance body was so vigorously attacked by the Romans, that it was compelled to fall back, not without some loss.

Annual Register (History), p. 299.

But Oudinot is on the spot and must do something: he therefore marches on Rome; is checked;

Whereupon there followed the siege and capture of Rome.

No doubt other motives of policy influenced the action of Louis Napoleon, who was at the time President of the Republic, but ostensibly the French attacked and took Rome because the Romans did not choose to receive them into Rome as uninvited allies against the Austrians.

and must therefore to redeem French honour take friendly Rome.

## CASE XCIV. (1850.)

As it is of more importance for the purposes of this paper to observe acts of our own Government, as they appear to foreigners, than as they are seen by ourselves, it will be convenient to quote the two following statements of our action this year towards Greece. The one is taken from a debate in the French Assembly, the facts stated in which are not matter of dispute, the other from the protest of the Government of Greece.

1850.  
Action of England towards Greece.

Annual Register  
(History), p. 214.

French state-  
ment of the case.

"A surprise."

"A friendly in-  
vitation of King  
of Greece to  
English officers,  
and friendly visit  
of Admiral."

"Sudden threat  
to recur to coer-  
cive measures."

"Without giving any previous notice to the French Ambassador at Constantinople, or to Admiral Deschenes, Admiral Parker unexpectedly anchored with 13 ships-of-war in the Bay of Salamis. His arrival was a surprise to everybody; and the King and Queen were so ignorant of the danger that menaced them, that they asked Mr. Wyse for a list of the officers on board, to invite them to a grand entertainment. The Admiral landed at the Piræus, and waited, with Mr. Wyse, on the King and Queen. It was after that cordial visit that Admiral Parker, meeting M. Londos, told him that England was determined to employ force to obtain the settlement of the claim so long pending, whether just or unjust, and allowed him only 24 hours to grant the required satisfaction, threatening otherwise to recur to coercive measures. Was such the language, he asked, ever used towards a friendly nation? ('Yes, at Copenhagen,' *cried a voice on the right.*) The King, on hearing, it, exclaimed 'I doubt that 50 years ago England would have thus treated one of the Barbary States.'"

Greek account  
of same events.

From the Greek Minister for Foreign Affairs, to our Minister at the Court of Athens:—

Annual Register  
(History), p. 286.

"Weak Greece  
did not expect  
blows from bene-  
factor, and

acts of hostility  
done in profound  
peace."

"I have received the note you did me the honour to write to me yesterday. It is impossible for me to convey to you the feelings with which it has been read by the King of Greece and by his Government. The whole nation will partake them. Greece is weak, Sir, and she did not expect that such blows would be aimed at her by a Government which she reckoned with equal pride and confidence among her benefactors. In the presence of a force like that which awaits your instructions, His Majesty's Government can only oppose its rights, and a solemn protest against acts of hostility done in profound peace, and which, without reference to other interests of the highest order, are violations in the supreme degree, of its dignity and its independence. In this painful conjuncture, certain of the support of the Greek people and the sympathies of the civilised world, the King of Greece and his Government await with sorrow, but without weakness, the end of the trials which, by order of the Government of Her Britannic Majesty, you may still inflict upon them.'"

Sir William Parker, who had previously blockaded the Piræus, "next laid an embargo on all Greek merchant vessels, and proceeded to capture and detain all that he found upon the seas."

Lord Palmer-  
ston's account of  
same events.

Annual Register  
(History), pp. 61  
and 62.

"Legitimate  
reprisals by  
England."

"These have  
now been suffi-  
cient" (laughter  
of House of  
Commons)

"Still diplomatic  
relations have  
not been sus-  
pended" (laugh-  
ter as before).  
"No courtesy  
omitted on our

It will be convenient to compare with the above Lord Palmerston's first statement of the case in the House of Commons.

"The state of affairs is this: It has been thought necessary at last to make a peremptory demand for certain reparation, for which application has long been made by this country without success; and that demand having been refused, reprisals have been commenced, which consist in keeping in pledge certain property belonging to the adverse parties, as security for the payment of these demands. These reprisals have been carried to a certain extent, and by the last return, dated the 10th of last month, I think that sufficient reprisals have been made to answer all the demands against the Greek Government. (A laugh.) Meanwhile the good offices of the French Government have been offered and accepted; but the negotiator sent by the French Government had not arrived when the last accounts left. I may also state that, notwithstanding what has occurred, the diplomatic relations between this country and Greece have not been suspended. (A laugh.) Mr. Wyse, although he has embarked on board a man-of-war, has continued up to the last moment in diplomatic relations with the Government of Greece; and as a proof that no

courtesy was omitted on our part, I may mention that the other day, on the anniversary of the birthday of either the King or Queen, I forget which, our fleet saluted with all the honours suitable to the occasion." (Much laughter.)

part, since some day or other (forget when) fleet saluted King of Greece with all honours" (much laughter as before).

It is true that the House of Lords censured these proceedings some time later by a hostile vote, but the House of Commons maintained their propriety by a special vote introduced by Mr. Roebuck and carried by what was in the then state of parties a large majority (46).

Though censured by House of Lords Government are strongly supported by House of Commons.

An incident connected with this affair is of some importance to the general scope of this paper.

The French Minister was suddenly withdrawn from London; but the view taken of that fact by the French Government which withdrew the Minister and by Lord Palmerston, to whom the despatch containing the withdrawal was read, were diametrically opposite.

Sudden recall of French Minister from London.

In the House of Commons Lord Palmerston thus stated, on 16th May, what had happened:—

"It is well known that the French Ambassador went yesterday to Paris, in order personally to be the medium of communication between the two Governments as to these matters; but I trust that nothing can arise out of these circumstances likely to disturb the friendly relations between the two countries."

Annual Register (History), p. 63.

Lord Palmerston regards the recall of French Ministers as quite a friendly act.

In the French Assembly, on the other hand, on the 16th May, *the same day* as Lord Palmerston's explanation in the House of Commons—"General Lahitte, Minister of Foreign Affairs, ascended the tribune and said:—"Gentlemen,—In the sitting of Saturday I had the honour of announcing to the Assembly, that in consequence of the failure of our good offices in the negotiations pursued at Athens, the Government of the Republic had considered it its duty to apply to the English Government for explanations. The reply which was given to us not being such as we had a right to expect from the good understanding which existed between the two countries, the President of the Republic, after having taken the advice of his Council, gave me orders to recall from London our Ambassador (a loud burst of cheering from the Right; clapping of hands—cries of 'Bravo! bravo!'—renewed cheers and clapping of hands from the same quarter. The Left all this time remained silent. The agitation continued at least five minutes). In order to make the Assembly aware of the motives which actuated the Government to come to the decision, I cannot do better than read to you the letter I addressed to M. Drouyn de Lhuys on the subject:—

Annual Register (History), pp. 244 and 245.

French Minister, on other hand, regards it as warning of threatened war.

Enthusiastic reception of threat in French Chamber.

"To M. Drouyn de Lhuys, French Ambassador at London.

"Paris, May 14th, 1850.

"SIR,—

"As I had the honour of announcing to you yesterday, the Council has deliberated on the reply of the Cabinet of London, which you had been directed to transmit to us. My preceding despatches must have caused you to anticipate the decision of the Government of the Republic. France, in a spirit of kindness and peace, had decided to interpose her good offices for the purpose of terminating, on honourable terms, the differences which had arisen between Great Britain and Greece. It had been agreed that the coercive measures already resorted to by England should be suspended during the course of the mediation, and that if an arrangement deemed fit to be accepted by the French mediator should be rejected by the British mediator, the latter should refer the matter to London before having recourse to

The actual despatch read to Lord Palmerston, which he thought friendly, and French Assembly rejoiced in as warlike.

force. We had received on this point the most formal promises, which, however, have not been observed. This deplorable consequence has resulted therefrom, namely, that at the moment when a convention, negotiated directly, and definitively agreed to, between the Cabinets of London and Paris, was on the point of arriving at Athens, where already the essential conditions of it were known, Greece, attacked anew by the naval forces of Great Britain, in spite of the energetic representations made by the French Envoy, was obliged, in order to escape complete ruin, to accept without discussion the clauses of an *ultimatum* far more rigorous. On learning this strange result of our mediation, we believed it to be the effect of a misunderstanding. We had hoped that the Cabinet of London, like us, considering as null and void the acts so much to be regretted by every one, and which had been concluded in violation of an engagement entered into with us, would maintain the Convention concluded in London. You had been charged to apply to the English Cabinet to do so, and the demand not having been agreed to, it has appeared to us that the prolongation of your sojourn in London is no longer compatible with the dignity of the Republic. (Bravos on the Right). The President has ordered me to direct you to return to France after having accredited M. Marescalchi as Chargé d'Affaires. He has also directed me to express to you all the satisfaction which the Government of the Republic feels at the zeal, ability, and spirit of conciliation and firmness you have constantly shown in the course of the negotiation, the non-success of which was not attributable to you.

“‘You will be pleased to communicate the present dispatch to Lord Palmerston.

“‘LAHITTE.’”

---

#### CASE XCV. (1850.)

1850.  
United States  
wages “unofficial  
war” against  
Cuba.

In this year an expedition sailed from the United States against Cuba. It was very much of the same nature as those which invaded Texas, which had ultimately led to the annexation of that State to the Union. It was discountenanced by the American Government as the earlier expeditions against Texas had nominally been. As the expedition failed no result followed.

---

#### CASE XCVI. (1851.)

1851.  
Another year's  
unofficial war  
against Cuba.

A second expedition against Cuba under the same leader as that of the previous year, General Lopez, was again attempted this year, in the hope of annexing Cuba to the States. It was inadequately prepared, had sailed under false impressions as to the wishes of the inhabitants, and hopelessly failed.

---

#### CASE XCVII (CRIMEAN WAR). (1853, 1854.)

1853.

The incidents which led to the Crimean War are so well known, that a very brief statement of the hostilities which preceded war, first between Russia and Turkey, and subsequently between Russia and the allied Powers, will suffice.

In the first place, the Russian Government seized the Danubian Principalities as a "material guarantee."\*

The order for the passage of the Pruth was announced in a despatch of May 31st.

On June 2nd, before this was known in London, orders were sent to the English and French Admirals to move up to Besika Bay.

Though the Russian order preceded the Anglo-French, it is important to notice that the latter was regarded as so hostile an act by the Russian Government, that it was put forward in justification of the passage of the Pruth, which latter was, however, expressly declared not to be an act of War.

Next two French and two English ships were moved up to Constantinople.

On October 22nd, the English and French fleets, under orders from London and Paris, entered the Dardanelles in express breach of the Treaty of 1841, which regulated the question.

On October 23rd, Turkey declared war upon Russia, and crossed the Danube, to expel the Russians. Russia announced her intention of remaining on the defensive and retaining her material guarantee in a despatch to the Courts of Europe of October 31st.†

Next followed the destruction of the Turkish fleet in Sinope by the Russians. Mr. Kinglake has taken great pains to show, and has no doubt successfully proved, that the impression produced in England at the time that this was an act of treachery on the part of the Russians was a false one. But though it was not an act of treachery on the part of the Russians, it was, as Lord Clarendon clearly showed in a despatch which Mr. Kinglake has not given, an act which the English and French Cabinets naturally regarded as a specific act of hostility against England and France as much as against Turkey. He says, writing to our Ambassador at St. Petersburg—

"The object with which the combined fleets were sent to Constantinople was not to attack Russia, but to defend Turkey; and the English and French Ambassadors and Admirals were informed that the fleets were not to assume an aggressive position, but that they were to protect the Turkish territory from attack.

"On the 27th of October, you informed Count Nesselrode of the nature of these instructions, and the service upon which Her Majesty's fleet would be employed; and Her Majesty's Government hoped that that communication, made in no unfriendly spirit to Russia, would have sufficed to prevent an attack upon a Turkish harbour, which is Turkish territory. \* \* \* The Sultan's squadron was destroyed while at anchor in a Turkish harbour, and where, consequently, the English and French fleets, if they had been present, would have protected it, and would have repelled the attack.

"The Russian Admiral, however, must have acted upon the orders of his Government, which Government was well aware of the instructions which were to guide the British and French Admirals; and Her Majesty's Government are compelled, therefore, to consider

May 31st, Russia's "material guarantee."  
Annual Register (History), p. 273.

June 2nd. English fleets ordered to Besika Bay.  
The latter act used to justify passage of Pruth.

Four ships to Constantinople,  
Kinglake, Vol. I, p. 362.  
P. 367.

October 22nd. Fleets enter Dardanelles.

Kinglake, Vol. I, p. 384.  
October 23rd.

Turkey declares war.

October 31st. Russia "will remain on defensive."

November 30th. Sinope.

Kinglake, Vol. I, pp. 369—370.

Not "treachery," Annual Register (History), p. 308, but an act of hostility against England and France whilst at peace with them (Lord Clarendon).

\* See in McCarthy, Vol. II, p. 252, an ingenious discussion of the comparative degree in which our dealings with Greece in 1850 and this act of Russia in 1853 were breaches of the custom of peace in the like cases. That which is contrary to fact is the assumption that such an established line of demarcation between peace and war has at all existed in practice in modern history.

† See Annual Register, p. 295, "Count Nesselrode's Despatch;" also Kinglake, Vol. I, p. 358.

that it was not the Turkish squadron alone that was deliberately attacked in the harbour of Sinope."

Annual Register, 1853 (History), "Lord Clarendon's Despatch," p. 309, and Kinglake, Vol. I, p. 387. Jan. 4th, 1854. English and French fleets drive Russian from Black Sea.

In this despatch Lord Clarendon announces the next stage of hostilities prior to war, and it followed immediately. The English and French fleet entered the Black Sea on the 4th January, 1854, with orders "to require, and, if necessary, compel Russian ships-of-war to return to Sebastopol, or the nearest port."

Russian Ambassador next leaves London, and English and French Ambassadors St. Petersburg.

As a consequence of *this* the Russian Ambassador was withdrawn from London, and thereupon the English and French Ambassadors were withdrawn from St. Petersburg.

Historian's view of declaration of war. Supposed "old barriers between peace and war" unfortunately broken down in the case of the one war they record.

The following passage from Mr. Kinglake's history is too striking in reference to the object of this paper not to be quoted. For it is an admirable instance of what is the practice of the historians of each war. They speak of those acts of hostility which in fact have preceded active war in almost all cases with startling regularity, as if the particular war which they describe was altogether exceptional, and as if there were some normal rule in accordance with which, in fact, war is separated from peace by a clearly marked line, prior to which no act of hostility takes place, and subsequently to which fierce war in all its energy commences. The assumption is absolutely without modern historical basis. The fallacy of the passage is rendered more apparent by the short title which is given to it in the table of contents,—"*Danger of breaking down the old barriers between peace and war.*"

Kinglake, Vol. I, pp. 379, 380.

Mr. Kinglake's account of the complete failure of these "barriers" in 1853, 1854.

"The armed conflict of States in these times is an evil of such dread proportions that it seems wise to uphold the solemnity of a transition from peace to war, and to avoid those contrivances which tend to throw down the great landmark; for experience shows that statesmen heartily resolved upon peace, may nevertheless be induced to concur in a series of gentle steps which slowly and gradually lead down to war. The negotiations for a settlement between Russia and Turkey had not only been reviewed, but were far from being at this time in an unpromising state, and it is probable that if Lord Aberdeen and Mr. Gladstone had been called upon to say whether they would observe peace faithfully, or frankly declare a war, they would scarcely have made the more violent choice. But the alternative was not presented to the minds of the Queen's Ministers in this plain and wholesome form.

"The ingenious Emperor of the French devised a scheme of action so ambiguous in its nature, that at the option of any man who spoke about it, it might be called either peace or war, but so certain nevertheless in its tendency that the adoption of it by the Maritime Powers would blot out all fair prospect of maintaining peace in Europe. He proposed to give Russia notice 'that France and England were resolved to prevent the repetition of the affair of Sinope, and that every Russian ship thenceforward met in the Euxine would be requested, and if necessary constrained, to return to Sebastopol, and that any act of aggression afterwards attempted against the Ottoman territory or flag would be repelled by force.' This proposal involved, without expressing it, a defensive alliance with Turkey against Russia, and, if it were adopted, the Emperor of Russia would have to see his flag driven from the waters which bounded his own dominions. It was so framed that Lord Palmerston would know it meant war, whilst Lord Aberdeen and Mr. Gladstone might be led

to imagine that it was a measure rather gentle than otherwise, which would perhaps keep peace in the Euxine."

### CASE XCVIII. (1856.)

Switzerland has not been frequently referred to in this paper, because, though hostilities between canton and canton, and between one party and another, have since 1815 been more frequent on Swiss soil than hostilities on the soil of any other country in Europe, except Spain and Portugal, these have not been, with the exception of the invasion of Savoy, strictly international hostilities. But as in 1856 hostilities took place which were virtually international, it will be convenient to mention that the specially neutralised condition of Switzerland had during these years no more protected her from external interference, that the guarantee of Europe had saved the Republic of Cracow from extinction. But the Federal Government when demands were made upon it by the great military powers, had usually had the prudence to yield. This year an opposite policy was pursued with results that showed clearly that the inviolability of Switzerland was like that of any other Power dependant on her neighbours' views of "her good behaviour."

"On the morning of the 2nd of September, 1856, a band of men, calling themselves Royalists, and headed by Count de Pourtales, suddenly attacked and seized possession of the castle at Neufchâtel, which was the seat of the Government of the canton. They issued proclamations announcing that the blow was struck on behalf of the King of Prussia, and calling on the inhabitants to rally round them and support the authority of the King. When the news of this event reached the Swiss Federal Council, they immediately ordered some battalions of Federal troops to march on Neufchâtel, and on the 4th of September, after a sharp struggle, the Royalist party was completely defeated, and the Republican flag was hoisted on the walls of the castle. Twelve of the Royalists were killed, and upwards of 100 were taken prisoners."

"This event would not be worth mentioning were it not for the attitude assumed by the King of Prussia in consequence of what had happened. The Federal Council decided that the prisoners should be tried for high treason in the Federal Courts. The King of Prussia, however, demanded that they should be unconditionally liberated, and based his claim to interpose on their behalf upon the rights he possessed as Prince of Neufchâtel, which originated in the early part of last century."

\* \* \* \* \*

"The representatives of the States of the German Confederation—Austria, Bavaria, and Baden—accredited to the Swiss Confederation, supported, in the name of the German Diet, the demand of Prussia, but at the same time stated that their Governments entertained feelings of friendship and good neighbourhood towards Switzerland."

Switzerland refused and appealed to France.

"The French Emperor advised the Federal Council to release the political prisoners as a preliminary step to further negotiation; but

F

1856.  
Notes on history of war in Switzerland. How is it happens that Switzerland has not hitherto appeared here more than once since 1815.

Humble submission, not European guarantee, had saved Switzerland till 1856. A bolder Federal Council nearly ruins Switzerland.

Annual Register (History), p. 244.

Neufchâtel seized by soi-disant "Prussian Royalists."

King of Prussia interposes in behalf of his "unofficial" warriors.

Annual Register (History), p. 245.

Prussia receives general German support.

Switzerland appeals to France.

Annual Register (History), p. 246.  
French Emperor rejects appeal.

this they refused to do, and their refusal seems to have irritated the Emperor, for an article appeared in the *Moniteur* which plainly intimated that Switzerland might have to encounter the enmity of France if the Neuchâtel Government persisted in bringing the Royalists to trial."

\* \* \* \* \*

Annual Register.  
(History), p. 247.  
Prussia on the  
eve of invasion,

"Afterwards, the tone of the King of Prussia became more and more warlike, and it seemed as if Europe were about to witness a bloody struggle between the armies of Prussia and Switzerland to determine the exact nature of the shadowy claims put forward by the House of Brandenburg to interfere in the internal affairs of one of the Swiss cantons."

when Switzer-  
land submits.

Finally, however, Switzerland yielded the point on which the King had set his heart; the prisoners were unconditionally amnestied, and then an agreement was made between the Powers by which for a certain indemnity Prussia gave up her claims on the canton.

### CASE XCIX (FRANCE AND ITALY AGAINST AUSTRIA).

1859.  
Annual Register  
(History), p. 229.

The French Army destined to act in Italy was put in motion on April 23rd, 1859.

First French  
army moves,  
April 23rd.

Declaration of  
war, May 3rd.

Annual Register  
(History), p. 231.

Ground of war.  
Hostile action of  
Austria.

What must be regarded as the French declaration of war was issued on May 3rd, 1859.

It begins—"Austria in causing her army to enter the territories of the King of Sardinia, our ally, declares war against us."

But the French troops not only moved before any declaration of war against Austria, but prior to *the act* which had been specially declared by France to be the one which would be regarded by France as a declaration of war by Austria.

Annual Register  
(History), p. 225.

Austrian mani-  
festo. French  
action prior to  
26th April caused  
war.

To quote the undisputed words of the Austrian manifesto—"The Government of the Emperor of the French caused on the 26th of this month" (April) "his Chargé d'Affaires at Vienna to declare that he should consider the passage of the Ticino by the Austrian troops as a declaration of war against France. While we were still waiting at Vienna for the reply of Piedmont to the summons to disarm, France caused her troops to enter Sardinia by the land and sea frontiers, knowing well that by so doing she placed in the balance the weight which would carry the last resolutions of the Court of Turin."

Austrian advance  
crossed Ticino on  
April 26th.

Now, the advanced posts of the Austrian Army did not cross the Ticino till April 26th, the day on which the above notice was delivered, and the French troops had at that time three days' start of them.

Sardinia treats  
ultimatum as  
declaration of  
war.

Annual Register  
(History), pp.  
215-216.

It is noteworthy also that prior to this, when on April the 23rd (the day the French troops moved) Austria presented a summons at Turin demanding the disarmament of Sardinia, this was treated itself by Sardinia as a declaration of war. The King announced the fact of the delivery of this threatening message to his army on April 27th with the words:— \* \* \* "the announcement I make to you is the announcement of war! Soldiers, to arms!"

Now, the Austrian Government alleged the French movement of troops, and not the reply of Sardinia, as their reason for passing the Ticino, so that the actual commencement of this war was on both sides (as between France and Austria) declared to be *due* to prior hostile acts not words.

## 1860 to 1871.

---

### CASE C (100.) (1860.)

On May 5th, 1860, Garibaldi sailed from Genoa, with about 2,000 men, to wrest Sicily from the King of Naples. It is needless to say that he issued to Naples no notice of war. But on his way to Sicily he, lying off the coast of the States of the Church, did leave *behind him* a proclamation to the Italians, urging them to arm and join him.

1860.  
Garibaldi suddenly invades Sicily.

As to the extent to which the Sardinian Government was concerned in this "unofficial war," it may be convenient to give two extracts from Sardinian papers, the tenor of which is not perhaps identical.

Action of Italy.

On the 18th May, after the expedition had sailed, but whilst Sicily was unconquered, the Piedmontese "Official Gazette" contained this announcement:—

Annual Register (History), pp. 221 and 222.

"The Government has disapproved the expedition, and attempted to prevent its departure by such means as prudence and the laws would permit. The Sardinian ships of war had orders to prevent a landing, but could do no more than the Neapolitan vessels, which were cruising in the Sicilian waters. Europe knows that the Government of the King does not conceal its solicitude for the common country, but at the same time it understands and respects the principles of international law, and believes its duty to be to make that principle respected in the State, for the safety of which it is responsible."

Before Garibaldi's success "disapproves" the expedition.

But before the end of June Garibaldi had conquered the whole of Sicily, with the exception of the citadel of Messina, and by the end of the first week in October had also seized Naples, and defeated the Neapolitan armies on the main land.

After success.

On October 9th, therefore, in an address to the Southern people, King Victor Emmanuel used these words:—"It was quite natural that the events which had taken place in Central Italy should have more or less excited the minds of the people of South Italy. In Sicily this disposition of the people found vent in open revolt. The people were fighting for liberty in Sicily, when a brave warrior, devoted to Italy and me (General Garibaldi) sprang to their assistance. They were Italians; *I could not, I ought not to restrain them.*"

Annual Register (History), p. 222.  
Italy "could not—ought not to—restrain them."

The King announced in this proclamation, "I have caused my soldiers to enter the Marches and Umbria." The army passed as rapidly as it could move into the Neapolitan States, and conquered them, and the greater part of the States of the Church.

Annual Register (History), p. 221.

It is of some importance to remember that the sympathies of the vast majority of Englishmen were at this time with the action of Garibaldi and of the Sardinian Government. Not only was this attested by the immense ovation with which Garibaldi was subsequently received in England, but as Mr. Gladstone put it in one of his most eloquent speeches, "In whatever part of the country, and among

English sympathies.

whatever class of the people an audience be taken, however they may differ on other subjects, on this one point Englishmen are agreed, that Italy ought to be one, that Italy ought to be free."

Having these feelings, we looked upon details in regard to dates, the issue of notice of war, and the unofficial character of the war, as altogether secondary matters.

---

### CASE CI. (1860.)

1860.  
Action of France.

The interference of France in Italian affairs was scarcely less sudden than the Sardinian; and its action was quite as much as the earlier action of Sardinia of that kind which is intermediate between peace and war.

Annual Register  
(History), p. 243.  
During Italian  
siege of Gaeta,

"The investment of Gaeta by land was soon complete, and the place must have quickly fallen if the Sardinians had blockaded and attacked it by sea. But this they were not allowed to do. The French Emperor interfered to give the King of Naples a chance of escape. His avowed reason, as stated by M. Thouvenel to Earl Cowley, our Ambassador at Paris, 'was to give the King the opportunity of making an honourable capitulation, and of saving His Majesty from becoming the prisoner of the King of Sardinia.'

French squadron  
prevents the  
Italians from  
completing the  
blockade.

"Perhaps, also, he was not without hopes that by prolonging the struggle, something might happen favourable to dynastic views for the family of Napoleon in the south of Italy. A French squadron, under the command of Admiral de Tinan, was anchored in the middle of the roadstead in front of Gaeta, and the Piedmontese Fleet did not approach nearer than the mouth of the Garigliano. The consequence was that Gaeta was only invested on the land side, and a tedious siege commenced, leading to useless bloodshed, which occupied the rest of the year without any definite result."

Annual Register  
(History), p. 243.

At Viterbo and  
other places  
French troops  
interpose to pre-  
vent the

Again, the French action at Viterbo was as follows:—

"This town had in September (1860) declared for Victor Emmanuel, and a commission was sent to govern it provisionally, in the name of the King: there was no disturbance of the public peace, for the inhabitants were unanimous. Suddenly, on the 7th of October, General de Goyon, the French Commandant at Rome, sent a message to the Gonfaloniere of Viterbo, announcing that a column of French troops was about to enter the town, and requesting him to take measures for procuring quarters for the force. To this message the Gonfaloniere returned the following significant reply:—

proclamation of  
"Victor Emma-  
nuel, the friend  
and ally of  
France."

"M. le Générale,—The Municipal Commission of this town, of which I have the honour to be president, is disagreeably surprised at the receipt of your communication that a column of French troops is coming here. Relying on the assurance of your Emperor, that no intervention would take place in Italy, we proclaimed the Government of King Victor Emmanuel, the friend and ally of France.

---

### CASE CII. (1861.)

1861.  
Confer Annual  
Register (Public  
Documents), pp.  
288 to 319

The case of the seizure of Messrs. Slidell, Mason, MacFarland, and Eustis, on board the "Trent," presents several points of interest. For though hostilities fortunately ended where they began, hardly any case shows more clearly what diametrically opposite views of the rights of nations towards one another may be held in perfect good faith on two

sides of the controversy, and how the sense of sudden wrong done in peace time may lash nations into fury, either side suddenly coming to believe that the other is such a wilful aggressor, that any retaliation without warning would be just.

"The 'Trent' left Havana at 8 A.M., on the 7th instant, with Her Majesty's mails for England, having on board a large freight of specie, as well as numerous passengers amongst whom were Messrs. Mason and Slidell, the former accredited with a special mission from the Confederate States to the Government of Great Britain, and the latter to the French Government, with their respective secretaries, Messrs. McFarland and Eustis.

Annual Register (Public Documents), "Report of Commander Williams," p. 288.

Action of United States during peace.

"Shortly after noon on the 8th (November), a steamer, having the appearance of a man-of-war, but not showing colours, was observed ahead, hove to; we immediately hoisted our ensign at the peak, but it was not responded to until on nearing her, at 1.15 P.M., she fired a round shot from the pivot-gun across our bows, and showed American colours. Our engines were immediately slowed, and we were still approaching her, when she discharged a shell from her pivot gun immediately across our bows, exploding half a cable's length ahead of us. We then stopped, when an officer with an armed guard of marines boarded us, and demanded a list of passengers, which demand being refused, the officer said that he had orders to arrest Messrs. Mason, Slidell, McFarland, and Eustis, and that he had sure information of their being passengers in the 'Trent.' Declining to satisfy him whether such persons were on board or not, Mr. Slidell stepped forward, and announced that the four persons he had named were then standing before him, under British protection, and that if they were taken on board the 'San Jacinto' they must be taken *vi et armis*, the Commander of the 'Trent,' and myself at the same time protesting against this illegal act, this act of piracy, carried out by brute force, as we had no means of resisting the aggression, the 'San Jacinto' being at the time on our port beam, about 200 yards off, her ship's company at quarters, ports open, and tompions out."

The view that was taken of this act by the English Government was as follows:—

View taken by England of this act.

"It thus appears that certain individuals have been forcibly taken from on board a British vessel, the ship of a neutral Power, while such vessel was pursuing a lawful and innocent voyage; an act of violence which was an affront to the British flag and a violation of international law."

Annual Register (Public Documents), p. 290. Lord Russell, Secretary of State for Foreign Affairs, to Lord Lyons, Ambassador at Washington.

"The view taken by the French people and Government was as follows:—

Views of neutral Powers. 1. France.

"Public opinion was immediately occupied with the legality and the consequences of such an act, and the impression which has been thereby produced has not been for an instant doubtful. The act seemed to the public to be so entirely at variance with the ordinary rules of international law, that it was determined to throw the responsibility exclusively on the Commander of the 'San Jacinto.'"

Annual Register (Public Documents), pp. 291 and 292. M. de Thouvenel, Minister of Foreign Affairs, to M. Mercer, Ambassador in London.

\* \* \* \* \*

"On what ground can the American cruizer, in the first case, have arrested Messrs. Mason and Slidell.

\* \* \* \* \*

"In this state of things there cannot be, in our opinion, any hesitation as to the course to pursue." Then follows a full approval of

Annual Register (Public Documents), p. 293.

the exact course pursued by the English Government, that is to say, a demand for the restoration of Messrs. Slidell and Mason.

## 2. Austria.

The views of the Austrian Government, both of the action of the English Government and of the moderation of the despatch in which the demand was couched, were as follows:—

Annual Register (Public Documents), p. 294. Count Rechberg to M. de Hulse-mann. (Communicated to Earl Russell by Count Apponyi, Dec. 24th.)

“England could not by any means refrain in the present case from making a representation against the attack made on its flag, and from demanding a just reparation for it. It appears to us, moreover, that the demands drawn up for this purpose by the Cabinet of St. James’s have nothing in them hurtful to the feelings of the Cabinet of Washington, and that the latter will be able to do an act of equity and moderation, without the least sacrifice to its dignity.”

## 3. Prussia.

The view of the Prussian Government was as follows, both as to the state of public opinion throughout Europe on the subject, and as to the rights of the question.

Annual Register (Public Documents), p. 295, Count Bernstorff to Baron Gerolt. (Communicated to Earl Russell by Count Brandenburg, 2nd Jan., 1862.)

“This occurrence, as you can well imagine, has produced in England and throughout Europe the most profound sensation, and thrown, not Cabinets only, but also public opinion, into a state of the most excited expectation. For although at present it is England only which is immediately concerned in the matter, yet, on the other hand, it is one of the most important and universally recognised rights of the neutral flag which has been called into question.

“I need not here enter into a discussion of the legal side of the question. Public opinion in Europe has, with singular unanimity, pronounced in the most positive manner for the injured party.”

Consensus of European opinion.

It may be reasonably doubted whether so complete a consensus of European opinion was ever arrived at before or since, as to the wisdom and the moderation with which a particular Cabinet acted. Those who remember those days recall also how eager was the approval of public opinion in England of the care taken not to wound American susceptibilities; how reports were current and were immensely popular, of the details of the preparation of the despatch which conveyed the demand: how it was said to have been considered and reconsidered, with a view to cut out of it every expression that could even appear offensive. It was in fact unaccompanied by any threat, and the American Minister, Mr. Seward, himself is reported by Lord Lyons to have said of our Ambassador’s action,—“He would add that the friendly spirit and the discretion which I had manifested in the whole matter, from the day on which the intelligence of the seizure reached Washington, up to the present moment, had more than anything else contributed to the satisfactory settlement of the question.”

English desire for moderation.

Mr. Seward’s own statement as to our Ambassador’s action.

Nevertheless such was the feeling in the States, that only the firm determination of Mr. Seward and Mr. Lincoln saved the two countries from war. It was not only that for weeks—“the press, and, apparently, public opinion in the North was so determined against the idea of concession, and so hostile to this country, that a war seemed to be inevitable”—but a much stronger indication exists how universal the feeling was that we were doing them a wrong, not they us, as all Europe thought.

Annual Register (History), p. 254. Absolute repudiation by American public opinion of the view of United Europe,

as expressed not only by the American press, but by Mr. Lowell, representing the extreme moderates.

The distinguished statesman who is now the American Ambassador in England, at that particular time more than any one else out of office in America, represented the popular feeling of the country. All through his career he had been the opponent of the war party, especially of the Mexican war, and of the buccaneering expeditions generally. If, among the graver and more thoughtful men of the States anywhere, there was a feeling which accepted the verdict of Europe, it would have found expression in his verse.

In fact he did pour forth as the expression of his own, and of the popular feeling of the country, one of the most vigorous of his poems, in which he indignantly denounced our demand for the rendition of Slidell and Mason as an act basely designed to take advantage of "Brother Jonathan's" having his hands too full to resent our doing so and to—"stump him to a fight"—without any cause given by him on his part.

If a sudden aggression upon Canada had followed our anxiously peaceful demand, all the poets and prophets of America would have declared that we had no one but ourselves to thank.

The opinion of the "Parliament of nations, the federation of the world," given in this instance with no uncertain sound against them, would not have affected their judgment at all. The statesmen, and the statesmen only, prevented war.

The British demand a cowardly advantage taken of Brother Jonathan then in his difficulties.

Poetical Works, p. 248.

Sudden counter-aggression for what Europe regarded as our moderate and indispensable demand would have met with universal assent in America.

### CASE CIII. (1863.)

The war between Austria and Prussia, on the one part, and Denmark on the other, virtually commenced by the occupation this year of Holstein and Lauenburg by the troops of the two Great Powers, and of other smaller states as a matter of "federal execution;" that is as an administration of the Government by the two Powers. The vote for this action, which was expressly to avoid a hostile determination against Denmark in regard to its permanent rights, was carried in the Federal Diet by the votes of the two Great Powers in opposition to one for a hostile occupation. The Danish troops were withdrawn beyond the Eyder in order to avoid a collision.

Still such expressions as, "If war is commenced," continue to appear in the course of the speeches of the time.

Apparently, as the war had not commenced by the seizure of a Danish province, the actual commencement of war was as follows. Its date was in fact determined simply by orders from Berlin, not by any communication between the Powers:—

"Field-Marshal Von Wrangel commanded the Prussian forces, which were assembled at Kiel, and on the 1st of February they marched out of the town and crossed the Schleswig frontier, occupying Gottorp, while the Danish troops retired at their approach.

"General Von Wrangel issued a proclamation to the inhabitants of Schleswig, telling them that he had come to protect their rights, and that the Governments of Prussia and Austria had determined to abolish the incorporation of Schleswig with Denmark.

"In the advance of the allied armies the Austrian troops occupied the left wing, and the Prussian the right.

"General de Meza commanded the Danish army, and he was summoned by General Von Wrangel to evacuate the town of Schleswig; to which his answer simply was, that he had orders to defend it."

"On the 2nd February, 1864, a severe conflict between the Danes and Germans took place near Missunde, on the Schlei, upon which General de Meza had retired with the first division of his army."

Nothing more definite in the way of a "proclamation of war" appears to have followed at any time, unless it was the declaration of Austria and Prussia to the Court of St. James's, that they did not intend to dismember Denmark.

Ultimately peace was concluded between Denmark on the one

1863.

Annual Register (Foreign History), p. 266.

Annual Register (Foreign History), p. 267.

1864.

Annual Register (Foreign History), p. 219, p. 221.

part, and Prussia on the other. The "Federal" troops of Saxony and Hanover were ordered by Prussia to quit Schleswig-Holstein.

That the sole motive for the "federal execution" process of commencing the war was the ordinary one so habitually sought by all nations in these cases: that of *making war without declaring war*, was manifest (1) by the Declarations of Prince Bismarck in the Prussian Chambers, in which he pleaded that the annexation of Kiel, and, virtually, of all the provinces, were Prussian annexations from which Prussia could not be moved without war; (2) by the Convention of Gastein, by which Austria and Prussia divided the spoils; and (3) finally by a remarkable State Paper drawn up by the Prussian lawyers, in which they asserted that the only original *right* to the Duchies was that of the reigning King of Denmark, and that he had transferred his rights by the treaty of Peace to Austria and Prussia.

In other words, the "Federal Execution" had no other justification than that it was a convenient introduction to a war of conquest, and avoided the unpleasant preliminary of Declaring War.

See Summary of Report in the Annual Register 1865 (Foreign History), p. 245.

#### CASE CIV. (1866.)

Before the end of March, 1866, a secret treaty was entered into between Italy and Prussia. What the specific terms may have been is not publicly known; but it is now known that "Italy engaged to declare war against Austria as soon as Prussia should have either declared war or committed an act of hostility." The alternative provision is very significant.

"On the 28th of April a peremptory demand was made by the Prussian Government upon the Saxon Government to give an account of the reason why the Saxon army had been strengthened; and they were told that if the armaments were not at once discontinued, the Berlin Cabinet would take such measures as might appear to be necessary."

\*

\*

\*

\*

On the 30th April, Count Von Bismarck said, in a despatch to Austria:—

"The information which has reached us direct from Italy, and that we have received through the medium of other Courts, coincides in stating that armaments of a threatening character against Austria have not taken place in Italy, and confirm us in the conviction that an unprovoked attack upon the Empire is far distant from the intentions of the Cabinet of Florence."

By the Convention of Gastein, the Administration of Holstein had been assigned to Austria, and that of Schleswig to Prussia.

"On the 7th of May the Prussian troops in Schleswig crossed the frontier to assert the right of Prussia to a joint occupation of the Duchy; and, as the Austrians were not in sufficient force to offer any effectual resistance, they retired from Holstein. The Prussian Governor of Schleswig, General Manteuffel, then issued a proclamation to the inhabitants of Holstein, in which he declared that the provisional Government established there in September, 1865, was abolished, and appointed a Prussian President for the administration of the affairs of both Duchies of Schleswig and Holstein. Austria protested in the Diet against these acts, and accused Prussia of the violation of the Gastein Convention. She proposed also that the Bund should decree the mobilisation of the Federal army."

1866.  
Annual Register  
(Foreign History), p. 215.  
Secret treaty  
between Prussia  
and Italy, March  
1866.

Annual Register  
(Foreign History), p. 218.  
28th April, De-  
mand on Saxony  
to disarm.

Annual Register  
(Foreign History), p. 216.  
30th April  
Prince Bismarck  
assures Austria  
Italy is not de-  
signing attack  
on her.

Annual Register  
(Foreign History), p. 218.  
7th May. Prus-  
sian troops turn  
Austrian troops  
out of Holstein,  
the Austrians  
yielding to force  
majeure.

"Soon afterwards the representative of Prussia in the Diet declared that she would consider the imperative requirements of her self-preservation as more important than her relations to a Confederation which, in its opposition to the supreme Federal laws, did not add to the security of the members of the Confederation, but rather endangered it."

\* \* \* \*

"On the 14th of June, 1866, the Frankfort Diet decreed that the forces of the different States, members of the Bund, should be mobilised. Next day the Prussians entered into Saxony and took possession of Leipsic.

"At the moment of the invasion, Prince Frederick Charles, who commanded the Prussians, issued a proclamation to the inhabitants of Saxony, dated Görlitz, June 16th, in which he said:—

"We are not at war with the people and country of Saxony, but only with the Government, which, by its inveterate hostility, has forced us to take up arms."

"The Prussians also overran Hesse-Cassel without any opposition." Proclamations of war were sent to Saxony and Hesse-Cassel the day before the troops entered those kingdoms.

Though, on the 17th of June, the Emperor of Austria had addressed 'To my Peoples' a war manifesto, this had no doubt not reached the Prussian troops, nor did Prussia regard the various acts above recited as acts of war on her part, nor was her threat at Frankfort regarded by her troops (if it was known to them) as constituting a state of war; for, on June 22nd, Prince Frederick Charles issued to his army a General Order, in which he says:—

"Soldiers!—Austria, faithless and regardless of treaties, has for some time, without declaring war, not respected the Prussian frontier in Upper Silesia. I, therefore, likewise, without declaration of war, might have passed the frontier of Bohemia. I have not done so. To-day I have caused a public declaration to be sent, and to-day we enter the territory of the enemy in order to defend our own country."

\* \* \* \*

The formal declaration of war by Prussia against Austria is, however, dated June 18th. The Austrian and Prussian troops had in fact been racing against one another to seize a particular bridge before the other side expected them to move. The fact that the Austrians had been successful in this was the motive of Prince Frederick Charles's General Order.

Annual Register (Foreign History), p. 219.

14th June. Orders for mobilisation of forces of the Bund.

15th June. Prussians enter Saxony, seize Leipsic. Prince Frederick Charles's proclamation, June 16th.

Prussians overrun Hesse-Cassel.

17th June. Austria issues a proclamation declaring war.

View taken by Prince Frederick Charles of Austrian and Prussian action.

His proclamation of June 22nd.

Annual Register (Foreign History), p. 222.

"Faithless Austria has acted without declaration."

Annual Register (Foreign History), p. 254.

### CASE CV. (1866.)

This year two Fenian invasions of Canada from the United States took place. In one case 1,200 men, in another a smaller number raided across the frontier. The case is of no interest, except, as showing how difficult it is for the best intentioned Government to stop "unofficial war" from being carried on from its territory. The United States acted with perfect loyalty in this instance, and therefore the danger was comparatively small.

Annual Register (Foreign History), p. 266.

Fenian raids from United States into Canada.

## CASE CVI. (1866.)

1866.  
Annual Register  
of 1867 (Foreign  
History), p. 250.  
Garibaldi's at-  
tack on Rome.

Annual Register  
(Foreign His-  
tory), p. 252.  
French re-enter  
Rome.

The French troops which occupied Rome in 1849 were withdrawn under a Convention with Italy in September, 1864, by which Italy undertook to protect the Roman frontier from violation. But in September and October, 1866, swarms of Italian volunteers crossed the frontier. Garibaldi having been arrested by the Italian Government, Menotti, his son, took command, and various engagements between the volunteers and the pontifical troops followed. Whether or no the allegation of the Pope is to be received as an infallible utterance, that "the Italian Government had availed itself of disorderly masses as the vanguard of its schemes of invasion," or whether, as appears more probable, it was utterly unable to stop the inroad, can scarcely now be positively determined. In any case, on the 28th October, "a French fleet arrived off Civita Vecchia, and two days afterwards, French troops entered Rome amidst the sullen silence of the inhabitants."

\* \* \* \*

"This fresh occupation of Rome by the French was immediately followed by the entry of the Royal Italian forces into the Papal territory, and they advanced upon Civita Castellana, Orte, Acquapendente, and Frosinone. It was feared that in the present complicated state of affairs a collision might take place between them and the French troops, which would have led to disastrous consequences; but the insurrection collapsed by the decisive defeat of Garibaldi (who had escaped from confinement) and his followers at Mentana, not far from Monte Rotondo, on the 3rd of November."

## CASE D. (1870.)

1870.  
Actual formal  
warning of war  
given in this  
case.

Annual Register  
(Foreign His-  
tory), p. 94.

Nevertheless the  
case no criterion  
of future action.

Actual warning  
of war to both  
sides due to the  
suddenness of  
the Benedetti  
incident at Ems.

Misunderstand-  
ing as to with-  
drawal of Prus-  
sian Ambassador  
from Paris.

Annual Register  
(Foreign His-  
tory), p. 155.

In the war between France and Germany the declaration of war clearly preceded war, and it is one of those rare cases (as far as I have been able to trace it, the only case in the two centuries) where not only did the declaration of war precede any overt hostilities, but where the declaration of war was actually *delivered as a warning at the Foreign Court* before hostilities were commenced.

On the 19th of July the French Declaration of War was delivered in Berlin.

But the circumstances were so peculiar that they certainly offer no guarantee that the two Powers would on future occasions adopt as a principle the giving of warning before war, in breach of the habitual practice of both powers on almost all previous occasions.

For the virtual though not the formal declaration of war took place at the interview on the 14th July at Ems between Count Benedetti and the King of Prussia, and the whole series of incidents followed one another so suddenly, that neither State had the opportunity of making movements before war was declared.

It must, however, be noticed that one of those curious misunderstandings as to the movement of Ambassadors which have several times occurred, was at least avowed in the French Corps Legislatif as a reason for war.

On the 5th July, Baron Werther, the Prussian Ambassador, apparently of his own motion, and merely in order personally to supply information to the King at Ems, quitted Paris.

On the 15th July the Duc de Grammont stated this as if it were a virtual declaration of war on the part of Prussia.

"We learned that Baron Werther had received orders to take his leave, and that Prussia was arming. Under these circumstances we should have forgotten our dignity and also our prudence had we not made preparations. We have prepared to maintain the war which is offered to us."

See speech by  
Duc de Gram-  
mont.

Annual Register  
(Foreign His-  
tory), p. 157.

But if the action of France in this matter was rather more than usually punctilious, the immediate result of war between the two countries was to disclose facts which showed that for at least four years during a period of warm Anglo-French alliance, France had been contemplating a sudden act of aggression which would, according to treaty and in the view of leading English statesmen, have been an act of war against England.

The secret treaty  
for seizing  
Belgium.

On July 25th the "Times" published a draft treaty, the original of which was in the handwriting of Count Benedetti, the confidential agent of the Emperor of the French. Count von Bismarck, in whose hands it had been left in the course of 1866, himself forwarded it to that newspaper.

Annual Register  
(Public Docu-  
ments), p. 204.  
See text of  
treaty.

The 4th Article of the treaty runs thus:—

"His Majesty the King of Prussia, on his side, in case His Majesty the Emperor of the French should be led by circumstances to cause his troops to enter Belgium or to conquer it, shall grant armed aid to France, and shall support her with all his forces, military and naval, in the face of and against every Power which should, in this eventuality, declare war."

It is clear that this aggression upon Belgium was to have taken place by stealth prior to any declaration of war, though probably not prior to the fomenting of such disturbances by French agents as had frequently before given colourable pretexts for such acts.

As to the responsibility of the two countries for the matter, the following summary will perhaps suffice:—

Extent to which  
France and  
Prussia were  
involved.

"The authenticity of the treaty was at first denied by France, but afterwards admitted on all hands; though the responsibility was freely thrown by each side on the other. The French Government affirmed that the treaty was suggested by Count Bismarck, and written down at his dictation by Benedetti, while the German Chancellor, in a circular addressed to all the German representatives, repeated that since 1862, France had been constantly asking for Belgium and the Rhine, and that he had kept the negotiations secret lest he should precipitate war. But the bad faith of the whole transaction was but too glaring, and it showed but too clearly on how hollow a foundation had rested for years past our belief in the friendship of our neighbour and in the continuance of peace."

Annual Register  
(History), p. 97.

The following year the facts came out more clearly, and fastened the responsibility more definitely upon the Emperor personally.

"The rash attempt of Count Benedetti this autumn, by publishing his 'case' with reference to the Secret Treaty negotiations in 1866, to fix the entire responsibility of that transaction on Count Bismarck, afforded the astute Chancellor occasion for a triumphant retort. He drew from the receptacle of the German Foreign Office a series of documents which Benedetti had reason to believe were buried for ever out of sight, and made it clear that the first letter of instruction on the subject of Belgium annexation had come to the hapless envoy from Paris on the 16th of August that year, after the French Emperor had, on the 12th, consented, under Bismarck's threat of instant war, to abandon his claim to Mayence and the left bank of the Rhine. Not only did Bismarck possess this Napoleonic despatch on the 16th but he possessed also Benedetti's reply to it promising that he would conform

Annual Register,  
1871 (Foreign  
History), pp. 233  
and 234.

Responsibility  
clearly fastened  
on France.

as far as possible to the principles laid down, and enclosing a draft treaty for the annexation of Luxemburg and Belgium. Upon this followed the French rejoinder, proposing certain amendments in the sketch, and finally the revised draught, or famous Secret Treaty, which Benedetti actually laid before Bismarck, and which Bismarck himself published in August, 1870. It appeared that Benedetti, disappointed at the cold reception his treaty met with, began to suspect Prussian sincerity. Meanwhile the German Chancellor, it was evident, was playing with the Belgian idea only as long as he was uncertain of the friendly disposition of Russia. Once assured on that head, he turned round, scouted the notion of Belgian annexation as distasteful to Prussia's good ally, England, and succeeded in throwing the onus of the whole transaction on France, damaging her essentially, moreover, by taking the moment of the outbreak of hostilities for the revelation."

Nature of aggression upon England.

Annual Register (English History), p. 105.  
Lord Russell's statement.

The Treaty of the 19th April, 1839, had bound England, Russia, France, Prussia, and Austria to maintain the neutrality of Belgium.

Of the view taken in Parliament and in the country of these facts the following words of Lord Russell's will give a fair specimen:—

He said "that it would be impossible to conceive 'a more specific and defined obligation than ours.' It is," he said, "impossible not to feel some anxiety—some fear—for the future when we read that in 1866, and at more recent periods, the Prime Minister of Prussia and the confidential Ambassador of the Emperor of the French have been considering how that Treaty of 1831 (? 1839) shall be violated, how faith shall be broken, and how the independence of Belgium shall be destroyed. Belgium has given no offence. It is a prosperous kingdom, in the enjoyment of free institutions; and although there have been disputes from time to time as to the railroads and other insignificant matters, I never heard any one deny that both under the late King Leopold, a most wise and sagacious Sovereign, and under the present King, it has pursued a course friendly to all other States, maintaining its own independence, and offending no other country. It is surely, therefore, an extraordinary discovery to find that the independence of that State has been a matter of concert and arrangement between other Powers. For my part, I confess I feel somewhat as if a detective officer had come and told me he had heard a conversation with respect to a friend of mine, whom I had promised to guard as much as was in my power against any act of burglary or house-keeping; and that two other persons, who were friends of mine, had been considering how they might enter his house and deprive him of all the property he possessed. I should reply under such circumstances, that I was very much astonished to hear it, and that I could not, in the future, feel perfect confidence in either parties to that conversation. We are bound to defend Belgium." \* \* \*

State Papers, p. 10, Vol. 60; and 990 and 1000, Vol. 27

Annual Register English (History), p. 106.  
Lord Granville's official declaration.

In reply,—“With the general and enthusiastic cheers of the House, Lord Granville made the required declaration: ‘I venture,’ he said, ‘to state most positively that Her Majesty’s Government are not unaware of the duty which this country owes to the independence and the neutrality of Belgium,’ and ‘I trust that, whatever may be the opinion of individual members of this House, your Lordships will not believe that when once we have made a clear intimation of our intentions in any respect, anything will prevent us from adhering scrupulously to the position we have taken.’”

## CASE CVII. (1870.)

A fresh Fenian outbreak of invasion into Canada from the United States, of no interest, except as showing that the possibility of such things had by no means passed away, took place this year.

1870.  
Fenian invasion  
of Canada.

## NOTE. (1871.)

An incident happened this year which is interesting, as showing the curious results which often attend the popular presumption that the recall of Ambassadors is the modern form of giving warning of war.

“Certain passages in the President’s message, coupled with the abrupt recall of Mr. Motley, the United States’ Minister in England, had aroused fears in the minds of some who earnestly desired the maintenance of pacific relations between the Old and the New country, that General Grant had resolved on presenting a categorical demand to the British Government, which, if not complied with, would at once be followed by the outbreak of hostilities. \* \* \* \* When, however, on a requisition from the Senate at Washington, the documents relative to Mr. Motley’s recall were brought to view, it appeared that it was because that Minister had too much identified himself with the policy of Sumner,” that is, to a course too violently hostile to England and almost threatening war, “not because he was too yielding to the claims of England, that the President had objected to his agency.” \* \* \* \* “Mr. Fish said it was expected that Mr. Motley would have represented the views of his Government, but that before he left America it became apparent that upon a question of controlling interest at that moment, occupying the attention of the thoughtful and the prudent, to restrain the passions which had been excited by eloquent declamation and powerful rhetoric, Mr. Motley accepted the views upon which popular excitement had been stimulated and wrought to the verge of dangerous irritation, rather than those which the President deemed to be sound and based upon the true principles of public law.”

1871.  
Case of recall of  
American Am-  
bassador because  
too warlike, un-  
derstood in Eng-  
land as warning  
of war.  
Annual Register  
(Foreign His-  
tory), p. 233.

Mr. Fish went on to point out that in the teeth of his instructions Mr. Motley had talked of the “gravity of the occasion,” of the “burning questions of grievance.” “More than once he was said to have gone to the very verge of admissible diplomatic suggestion in alluding, without any authority for so doing, to the contingencies which would depend on negotiations concerning such vital questions.” Thus, when an Ambassador was recalled because he was too threatening and warlike, it was supposed to be an act threatening war, and tended to produce that very state of feeling between the two countries which has often led to sudden war.

Annual Register  
(Foreign His-  
tory), p. 234.



# INDEX.

- ABERDEEN, Lord**, xcvi, 67.  
**Action, sudden, during peace** (see "War without warning," and "Statesmen").  
**Action of officers on spot, leading to unwarned war**, 5; xviii, 18; xxi, 19; lvi, 39; lx, 43; lxv, 46; lxx, 49; lxxvi, 50; lxxxiv, 56; lxxxvi, lxxxvii, 59; xcii, 60; cii, 70.  
**Acts, not words, often treated as declaration** (see "Declaration of war, acts as").  
**Advantage by surprise, to secure, forty-one cases of war without warning; cases detailed on page 5.**  
**Advocate-General on war without warning** (see "Nicoll").  
**Aix-la-Chapelle, peace of**, xxiv, 20.  
**Aldermen, environs of all forts under orders of**, 10.  
**Alexander, Tzar** (see Preface and lvii, 40; lii, 37; lxii, 44).  
**Alison, Sir A., use of "declared war,"** xxxvii, 28; xliii, 31.  
**— on our action against Spain**, li, 37. (See also xli, 29, note.)  
**Alvinzi, General**, xxxv, 26.  
**Ambassadors, misunderstanding of their movements as causing danger of sudden war**, 6, 7; xciv, 63; d, 76; 79, note.  
**Ancona**, lxxviii, 52.  
**Angoulême, Duc d'**, lxvii, 47.  
**Announcement of war** (see "Warning" and "Declaration").  
**Anticipate surprise, surprise to, cases of, leading to unwarned war**, 5; xi(b), 14; xxvii, 22; xxxiii, 25; xlvii, 33; lvii, 40; lxviii, 47; lxxvii, 51; ci, 70; cvi, 76.  
**Antin, Marquis d'**, xvii, 18.  
**Arbuthnot, Mr., at Constantinople**, liv, 38.  
**Armies and territory attacked, and territories seized, before declaration of war:—**  
     **French at Carpi**, ii, 13.  
     **Germans by Pope**, v, 13.  
     **Morea by Turks**, vii, 14.  
     **Brehmen and Verden by England**, viii, 14.  
     **Sardinia by Spain**, x, 14.  
     **Sicily** " xi, 14.  
     **Lombardy by Spain and France**, xiii, 16.  
     **Silesia by Prussia**, xv, 16.  
     **Saxony** " xxii, 20.  
     **Holland by France**, xxiii, 20.  
     **Minorca** " xxvi, 21.  
     **Saxony by Prussia**, xxvii, 22.  
     **Port Egmont by Spain**, xxx, 24.  
     **Bavaria by Austria**, xxxi, 24.  
     **St. Eustacia by England**, xxxiii, 26.  
     **Savoy and Nice by France**, xxxvii, 27.  
     **Cape Colony by England**, xxxix, 28.  
     **Ceylon by England**, xxxix, 28.  
     **Egypt by France**, xlv, 32.  
     **St. Bartholomew and all colonies of Denmark and Sweden**, xlix, 35.  
     **Moldavia by Russia**, liv, 38.  
     **Russian army by Napoleon**, lxii, 44.  
     **Austrians at Cesenay by Naples**, lxiv(1), 45.  
     **Montevideo by Portugal**, lxiv(2), 46.  
     **Portuguese army by Spain**, lxxx, 53.  
     **Moldavia and Wallachia by Russia**, xcvi, 64.  
     **Holstein and Lauenburgh by Austria and Prussia**, ciii, 73.  
**Austerlitz, battle of, causes Prussia to attack England**, lii, 38.  
**Austria. (For cases of war without warning by Austria see "War without warning by Austria.")**  
     **— accepts Baron Brunnow's view of right of sudden and secret action during peace**, 8; lxxxiv, 57.  
     **— secret treaties by**, xxvii, 22; lxxxiv, 57.  
**Antes, Conde das**, lxxxix, 59.  
**Auxiliaries becoming involved in war with one another without warning**, xvi, 17; xvii, xviii, 18; xix, 19; xxxii, 24; xxxiii, 25; lix, 43; xc, 60.  
**BARNET, Captain**, xvi, 17.  
**Barriers, the old, between peace and war, Mr. Kinglake on**, 8 and 66.  
**Benedetti, Count**, d, 76, &c.  
**Belgium, war without warning threatened by France from 1862 to 1870**, d, 76.  
**Bismark, Prince, purposely avoids declaration**, ciii, 74; the secret treaty of 1870, d, 77.  
**Bois de la Mothe, M.**, xxv, 20.  
**Bands of the faith, support of by M. de Villèle, and French Chambers, their view of**, 11; lxvii, 47.

- Borderland between peace and war (see "Peace and War").
- Boscawen, Admiral, XXV, 21.
- Bourdonnaye, M. de, on duty of surprise before war, LXVII, 47.
- Brehmen, VIII, 14.
- Breslau, peace of, XXII, 19.
- Brisbane, Captain, LVI, 39.
- Brune, General, XLIII, 31.
- Brunnow, Baron, view as to sudden war, 8; LXXXIV, 57.
- Bylaudt, Admiral Count, XXXIII, 25.
- Byng, Admiral, afterwards Lord Torrington, XI, 14.
- — afterwards shot, XXVI, 21.
- Byron, Captain, LXIII, 45.
- CAGLIARI (see "Fortresses"), x, 14.
- Canning, Sir Stratford, afterwards Lord Stratford de Redcliffe, LXXXI, 55.
- Canning, Right Hon. G., on war without warning, LXVIII, 48; 8; and Preface, note, p. viii
- Carlos, Don, LXXX, 53.
- Carlyle on parchment guarantees, xv, 16.
- Carpi (see "Eugene").
- Cases of war without notice, of which motive or cause has been indifference, or wish to postpone declaration, twelve, 5.
- — surprise to anticipate surprise, nine, 5,
- — action of officers on spot, twelve, 5.
- — miscellaneous, 5 and 6.
- — unannounced Colonial war, 5.
- — progress of war with other powers, four, 5.
- — auxiliary aid on opposite sides of a quarrel, four or five, 5.
- — Federal execution; reprisals; unofficial war; pressure; and irregular raids, sixteen, 5.
- — to secure advantage by surprise, forty-one, 5.
- — misunderstandings by statesmen of intended warning of war, 6.
- — preceding declaration, 107 in 171 years; declarations preceding war less than ten, 4.
- Cassaro, Prince, LXXXV, 58.
- Castropegnano, Duke of, XVIII, 18.
- Catinat, Marshal, II, 13.
- Century, 18th, number of cases of war in, without warning, 7.
- 19th, number of cases of war without warning in, 8.
- Cavour, acceptance by, of results of war without warning, 11.
- Cesenay, LXIV, (1) 45.
- Charles, Archduke (of 1700), II, 12.
- Charles XII attacked without warning during peace on his accession, I, 12.
- "Chesapeake," American frigate, seized by English during peace, LX, 43.
- Circumstances, variety of (see "Variety").
- Citadel, Dover, a fort, compared with Valerien, 11.
- Clarendon, Lord, XCVII, 65.
- Clive, XXVIII, 22.
- Commons, votes on war without warning, LXVIII, 48; LI, 37; XCIV, 63.
- laughter of, XCIV, 63.
- Complaints as to hostilities during "profound peace," commonplaces of diplomacy, 10.
- Congress of United States reserve right to declare war; sanction surprise, 9.
- Constitution, written, of United States as to declaration of war, 9.
- Continent, precautions, ordinary, on, not possible in England; sentries on, 10.
- Copenhagen, I, 12; XLVIII, 34; LVII, 40; quoted by French Assembly (1850), XCIV, 62.
- Cornwallis, Admiral, LI, 36.
- Cracow seized by Austria, Prussia, and Russia, LXXXI, 55.
- Crimean War, XCVII, 64.
- — declaration by England against Russia, 9.
- Cuba, unofficial war against, by United States, XCV, XCVI.
- Curaçoa, war without warning by England, LVI, 39.
- DACRES, Vice-Admiral, LVI, 39.
- Dahlberg, Count von, I, 12.
- Danger of sudden war (see "War without warning").
- D. Armagnac, LVIII, 42.
- Decision, legal, as to sentry, 10 (note).
- Declaration of war, acts as, 9; I, 12; XVIII, 18; XXI, 19; XXV, 21; XXXIII, 25; XLVI, 32; XLVIII, 34; XLIX, 35; LI, 36; LII, 37; LXII, 44; XCIX, 68.
- before war, because no chance of surprise, 4; LI, 35.
- — due to political motives, 4; B, 27.
- — no established usage, 4.
- *delivered* prior to any hostilities, one case only, 9; D, 76.
- destruction of fleet not a, XI, 15.
- English, against Russia in 1854, Mr. McCarthy's account of, 9.
- — in 1702, not a warning of war, note 13.
- hostilities prior to, 107 in 171 years, 4.
- less than ten *issued* before war, 4.
- "more important than war as cause of action," LXVIII, 48.
- not warning to threatened power, but appeal to assailing nation, 9.
- term, often used by historians as equivalent of "war was begun," 9; XXXVII, 28.
- wish to postpone, leading to unwarmed war, twelve cases, 5.
- wording of, 9.
- (See also "War without warning," and "War with warning.")

DENMARK, war without warning, by Austria and Prussia, against, CIII, 73; by Prussia, XCI, 60; by England, I, 12; XLVIII, 34; by England, because Danish fleet was to have been seized with or without consent by France, LVII, 40 (see also Preface).

— war by, without warning, XXIX (a) 23.

— signs pragmatic sanction, does not assist Maria Theresa, xv, 16.

D'Erlach, Baron, XLIII, 31.

Deschenes, Admiral, XCIV, 62.

Dessolles, XLVII, 33.

D'Estaing, Admiral, XXXII, 24.

De Torres, Admiral, XVII, 18.

Dettingen, battle of, XIX, 19.

Development of modern times tends to make sudden war more frequent, 8.

Dieskau, Baron de, 21.

Diplomacy, modern, tends by its very courtesy of form to cause war without warning, 6.

Don Carlos, XVIII, 18.

Dover, western heights and citadel forts not fortresses, 11.

Don Miguel (see "Miguel").

Dresden, treaty of (see "Treaty").

Drouyn de Lhuys, French ambassador, recalled by Louis Napoleon, XCIV, 63.

Duckworth, Sir John, LIV, 38.

Duhesme, LVIII, 42.

Duphot, XLII, 30.

Dupont, LVIII, 41.

Dutch (see "Holland").

Dutch fortresses (see "Fortresses").

Dyer, T. H., on war without declaration, and on attack on Copenhagen, Preface, note to p. xi.

EGMONT (see "Port Egmont").

Elizabeth, precedents from reign of, quoted by Lord Palmerston, 7; LXXX, 54.

England, wars waged by, without warning (see "War without warning by England").

— accepts Baron Brunnow's view of right of sudden and secret action during peace, 8; LXXXIV, 57.

— secret treaties against, IX, 14; XXIX (b), 23; XXXII, 24; XXXIII, 26; XLI, 29; LVII, 40; D, 77, 78.

— — by, XII, 15; LXXXIV, 57.

— attacked without warning by France, XX, 19; XXV, 21; XXVI, 21; XXXII, 25.

— — Russia, XLVIII, 34; XCVII, 65.

— — Spain, XXX, 24; XXXVI, 27; XLI, 29.

— — Holland.

— — Prussia, LII, 37.

— — United States, LXI, 44; LXII, 44; LXXXIII, 56.

— threatened with war without warning by allied France from 1862 to 1870, D, 76-78.

England signs pragmatic sanction, does not assist Maria Theresa, xv, 16.

— peace *reigns* in, 10; sympathy in, with war without warning, 4, 11, 69.

— sentries must call policemen, 10.

— precautions, usual, during peace, not possible in, 10.

— Crimean war, 64.

Espeleta, Conde de, LVIII, 40.

Established usage as to declaration, before war, none, 4.

Eugene, Prince, before declaration, attacks French at Carpi, II, 13.

— — during peace, surprises Cannetto, &c.; seizes territory of Guastalla, Parma, and Modena, III, 13.

European Powers and United States only countries included in record, 4.

Evans, Sir de Lacy, LXXX, 54.

Every one of Great Powers has frequently carried out surprise before war, 3.

Example, "none furnished by history," of such acts as are here recorded, XXXII, 25.

FAITH, bands of the, in Spain, support of, by M. de Villèle, 11 and 47.

Farmer, Captain, XXX, 24.

Federal execution, CIII, 73.

— a mode of avoiding declaration, 74.

Fellows, Captain, LV, 39.

Ferdinand, King of Spain, LXVII, 47; LXVIII, 47.

Fielding, Commodore, XXXIII, 25.

Fitz-Roy, Lord Augustus, XVII, 18.

Fleets, wars waged by, during supposed peace, I, 12; IV, VI, 13; VIII, X, XI, 14; XII, 15; XIV, 16; XVI, 17; XVII, 18; XVIII, 18; XX, 19; XXV, 20; XXXII, 24; XXXIII, 25; XXXIX, 28; XLI, 29; XLIV, 31; XLVI, 32; XLVIII, 34; XLIX, 35; LI, 35; LII, 38; LIV, 38; LV, 39, LVI, 39; LVII, 40; LX, 43; LXI, LXIII, 44; LXVI, 46; LXX, 49; LXXV, LXXVI, 50; LXXVIII, 52; LXXXIV, 56; LXXXV, 58; LXXXIX, 59; XCIV, 61; XCVII, 65, 66; CI, 70; CII, 71.

Fleming, General, I, 12.

Fontainebleau (see "Treaty").

Fortresses, distinction between fortresses and forts, 11.

— English, cannot possibly be kept in same state of readiness as Continental, 10

Forts and fortresses, captured by surprise during peace between the contending powers: Luxembourg, Namur, Mons, II, 12; Canneto, &c., III, 13; Cagliari, x, 14; Messina, xi, 14; Kehl, XIII, 16; Prague, XXII, 20; Sluys, Savan-Ghent, Perle, Leifkenshoek, Hulst, Axel and Terneuse, XXXIII, 20; Port Mahon, XXVI, 21; Dresden, XXVII, 22; Bavaria, all fortresses in, XXXI, 24; Old Lillo, XXXIV, 26;

- Dresnik, &c., xxxv, 27; Montalbon, Ville Franche, xxxvii, 27; Peschiera, Verona, Bassano, Vicenza, Padua, Friuli, and Palma Nova, xlii, 30; Malta, xliv, 31; Alexandria, xlv, 32; Novarra, Susa, Coni, xlvii, 33; Soleure, Zurich, and Berne, l, 35; Alexandria, lv, 39; Curaçoa, lvi, 39; Copenhagen, lvii, 40; San Fernando, Barcelona, Pampeluna, San Sebastian, and other Spanish fortresses, lviii, 42; Pensacola, St. Mark's, lxv, 46; Braganza and Villa Vicosia, lxviii, 48; Ancona, lxxviii, 52; Cracow, lxxxi, 55; St. Jean d'Acre, lxxxiv, 58.
- attacked by surprise during peace: Riga and Copenhagen, i, 12; Steinhorst, xiv, 16; Belgrade, xxxv, 26.
  - attacked before declaration of war: Kaiserswaert, iv, 13; Gibraltar, xii, 15; St. Phillip's, Minorca, xxvi, 21.
  - captured by surprise; declaration of war not having reached fortress; Negombo, xxxix, 28; and generally all seaboard colonial defences.
- Foster, Mr., envoy to United States, xliii, 44.
- Fox the elder, xxv, 21; the younger, li, 37.
- France, war without warning by (see "War without warning by France").
- secret treaties by, xxii, 20; xxvii, 22; xxix (b), 23; xxxii, 24; d, 77.
  - attacked, without warning, by Austria, ii, 13; by Naples, xlvi, 32; by England, xxiv, 20.
  - a French minister's duty to attack during peace, unless he can prove France would have suffered thereby, lxvii, 47.
  - signs pragmatic sanction, attacks Maria Theresa, xv, 16.
  - view of English action in Greece, in 1850, xciv, 61.
  - misunderstanding of movement of German ambassador alleged as reason of war, 1870, d, 76.
  - Crimean war, 64.
- Fraser, Major-General, lv, 39.
- Frederick the Great attacks without warning, xv, 16; xxii, 20; xxvii, 22.
- GARIBALDI, c, 69.
- Gastein, convention of, ciii, 74.
- Genoa, war without warning, by France against, xlii, 30.
- coerced by England during peace, xxi, 19.
- German ambassador, supposed recall of, d, 76.
- Gibraltar, xii, 15; and Preface note, p. viii.
- Gladstone, Right Hon. W. E., on English wish for Italian Unity, c, 70.
- — Mr. Kinglake on, xcvi, 67.
- Goyon, General de, ci, 70.
- Graaf, M. de, xxxiii, 26.
- Grammont, Duc de, d, 77.
- Granville, Lord, on the effect on England's position of the secret treaty of 1870, 78, last par.
- Graves, Admiral, xlviii, 34.
- Great Meadows, battle of, xxiv, 20.
- Greece, war without warning by Russia, lxxiv, 50.
- — England, xciv, 61.
- Green, J. R., silence on war without warning, li, 37; lxiii, 45.
- Ground, all, round foreign fortresses under military authority; round English under Aldermen, 10.
- Guarantee, material, Danubian provinces, xcvi, 65.
- Parchment (see "Treaties" and "Carlyle").
  - Sir Stratford Canning on, lxxxi, 55.
- Guaranteed neutrality no protection to Switzerland, xcvi, 67.
- Guastalla (see "Eugene").
- "Guerrière," English frigate, lxi, 44.
- HADDOCK, Admiral, xvi, 17.
- Hallowell, Captain B., lv, 39.
- Hanover, Treaty of (see "Treaty").
- Hawke, Admiral, xxv, 21.
- Her Majesty's sentries must call policemen, 10.
- Historians use term "war was declared," when there has been no declaration, as paraphrase for "war was begun," 9; xxxvii, 28.
- treat as exceptional such cases of war without warning as they record, 66.
  - (See also Carlyle, Green, Kinglake, Alison.)
- History "furnishes no example" of such acts as are here recorded, xxxii, 25.
- Holland, war without warning by France, ii, 12; xxiii, 20; lxxvii, 52. By England, xxxiii, 25; xxxix, 28; lxxvii, 52. Austria, xxxiv, 26.
- war without warning by (see "War without warning by Holland").
  - secret treaty by, xxxii, 26.
  - breaks treaty with England, xiv, 16.
- Hood, Sir Samuel, lix, 43.
- Hosier, Admiral, xii, 15.
- Hostilities, without declaration (see "War without warning"), 107 cases in 171 years, 4.
- during "profound peace," common cause of complaint, 10 (see "Peace").
- House of Lords, Commons (see "Lords," "Commons").

Howe, Lord, Admiral, xxxii, 24.  
 Hume, Mr., M.P., on war without warning, lxviii, 48.  
 Humphreys, Captain, lx, 43.

INDIFFERENCE on subject of warning or not, twelve cases, 5.  
 Individual life on Continent little regarded, 10.  
 Italy, war without warning by France, cvi, 76.  
 — unofficial war by, c, 69.

JAMONVILLE, xxiv, 20.  
 Junot, lviii, 41.

KANIKOFF, Admiral, lxx, 43.  
 Keppel, Admiral, xxxii, 25.  
 Kinglake, Mr., as to Sinope, xcvii, 65.  
 — on the "old barriers between peace and war," xcvii, 66,  
 — view of danger of breaking down the "old barriers" between peace and war, 8.  
 Kowno, lxii, 44.

Lahitte, General, Minister of Foreign Affairs, xciv, 63.  
 Langara, Admiral, xli, 29.  
 Laughter of House of Commons (see "Commons").  
 Laurence, Dr., M.P., on war without warning, li, 37.  
 Lawrens, Mr., xxxiii, 26.  
 Legal decision as to sentry, 10 (note).  
 "Leopard," the, English man-of-war, lx, 43.  
 Leopold, King of Belgium, lxxvii, 51.  
 Life on Continent everywhere adapted for war, 10.  
 Lincoln, President, saves a war, cii, 72.  
 "Little Belt," English sloop, attacked by Americans, lxi, 44.  
 Loaded rifles carried and used by sentries in peace on Continent, 10.  
 Longford, Captain Lord, xxxii, 25.  
 Londos, M., xciv, 62.  
 Lopez, General, leads two expeditions against Cuba, xcv, xcvi, 64.  
 Lords, votes on war without warning, lxviii, 48; li, 36; xciv, 63.  
 Louis Napoleon, xciii, 61; xcvii, 64; xcix, 68; ci, 70; cvi, 76.  
 — Secret treaty for seizing Belgium, d, 76.  
 Louis XIV surprises Dutch fortresses during profound peace, ii, 12.  
 Louis, Sir T., liv, 38.  
 Louis Philippe saves England from sudden attack, lxxxiv, 58.  
 Lowell, James R., on stumping Brother Jonathan to fight, cii, 73.  
 Luxembourg (see "Fortresses").  
 Lydiard, Captain, lvi, 40.

MACK, General, xlvi, 32.

Madeira captured during peace by England, note to Preface, p. viii.  
 Maitland, Sir Thomas, lxxxix, 59.  
 Majesty, Her, sentries must call a policeman, 10, note.  
 Malta seized during peace by France, xliv, 31.  
 Maltby, Captain, xxx, 24.  
 Manifest motive to secure advantage by surprise, forty-one cases, 5.  
 Mann, Admiral, xli, 29.  
 Maria Theresa, obtains dominions under guarantee of all Europe; all Europe either attacks or deserts her, xiv, 16; xxii, 19; xxvii, 22.  
 Marshall, Captain, xxxii, 25.  
 Mason and Slidell, cii, 70.  
 Martin, Commodore, xviii, 18.  
 Matthews, Vice-Admiral, xviii, 18; xxi, 19.  
 McCarthy, J., M.P., account of Crimean declaration, 9.  
 McKenzie, Mr., lxxxiii, 56.  
 Ménard, General, xliii, 31.  
 Mexico, war without warning with United States, lxxxii, 55; lxxxviii, 59.  
 Meza, General de, ciii, 73.  
 Miguel, Don, King of Portugal, lxxv, 50; lxxx, 53.  
 Missunde, battle of, before declaration, ciii, 73.  
 Misunderstanding, Lord Palmerston's, of recall of French ambassador, 6; xciv, 63.  
 — French, of movement of German ambassador, d, 77.  
 — Popular, of recall of ambassador, 79, note.  
 — of statesmen (see "Statesmen," "Palmerston," "Warnings of war").  
 Modena, war without warning, by France, xl, 29 (see also "Eugene").  
 Modern statesmen (see "Statesmen, modern").  
 Moncey, lviii, 41.  
 Monroe, President, view of right to violate border, &c., during peace, lxv, 46.  
 Mons (see "Fortresses").  
 Montcalm, Marquis de, xxv, 21.  
 Monteallegre, Duke of, xviii, 18.  
 Montevideo, lxiv (2), 46.  
 Montesquieu, General, xxxviii, 28.  
 Mont Valerien, a fort, comparison of, with citadel and western heights, 11.  
 Moore, Captain, report on our action to Spain, li, 36.  
 Morocco, by France, war without declaration, lxxxvii, 59.  
 Motives, political, leading to declaration before war; 4, B, 27.  
 Motive, manifest, to secure advantage by surprise, forty-one cases, 5.  
 Motley, Mr., United States Ambassador, recall of, 79 (note).  
 Movements of ambassadors, dangers from (see "Ambassadors," &c.).  
 Murat, lxiv (1), 45.

- NAPLES, war without warning against Austria, LXIV (1), 45.
- forced from Spanish alliance by war without warning by England, XVIII, 18.
  - war without warning by France, XL, 29.
  - coerced by England without declaration, LXXXV, 58.
  - conquered by unofficial war, C, 69.
- Napoleon, as Republican General, XL, 29; XLII, 30; XLIII, XLIV, 31; XLV, 32.
- as first Consul or Emperor, L, 35; LIII, 38.
  - victories of, cause Prussia to attack England during peace and alliance, without warning, LII, 37.
  - Louis (see "Louis Napoleon").
- Narva, battle of, I, 12.
- Naselli, General, XLVI, 32.
- Navarino, LXX, 49.
- Nelson's war on his own account, XXXIV, 26 (note).
- Nelson tricked by pretended peace by Spain, XLI, 29.
- view of declaration, XLVI, 32.
  - battle of the Baltic, XLVIII, 34.
- Neutrality guaranteed, of Switzerland, no protection, XCVIII, 67.
- Newcastle, Duke of, XXV, 21.
- Ney, L, 35.
- Nicholas, General, LVIII, 42.
- Nicoll, Sir John, Advocate-General, on war without warning, LI, 36.
- Nootka Sound, XXXVI, 27.
- Norris, Captain, XVIII, 18.
- Norris, Sir John, VIII, 14; and 15 (note).
- Notice delivered (see "Warning of war").
- Namur (see "Fortresses").
- Number of cases of sudden war (see "War without warning").
- OFFICERS on spot, action of, leading to unwarmed war, twelve cases, 5.
- Old barriers (see "Barriers").
- Orvilliers, Count d', XXXII, 25.
- Oudinot, XCIII, 61.
- PALMER, Captain, LV, 39.
- Palmerston, Lord, LXXV, 50; XCVII, 66 (Crimean war).
- (in 1836) quotes precedents for hostilities without declaration from reign of Queen Elizabeth, 7; LXXX, 54.
  - His misunderstanding of withdrawal of ambassador as friendly act, when intended as warning of war, 6, 63.
  - Lively account of our action in Greece, XCIV, 62.
  - Orders Admiral at discretion to wage war either against or for Turkey, LXXXIV, 57.
- Parchment guarantees (see "Treaties" and "Carlyle").
- Parliament "of nations," utter failure of its action, XV, 16; LXIV (2), 46; XCVIII, 67; CII, 73.
- Parliament, votes of (see "Lords" and "Commons").
- Parker, Admiral Sir William, XCIV, 62.
- Parker, Admiral Sir Hyde, XLVIII, 34.
- Parma, war without warning, by France, XL, 29 (see "Eugene").
- Passes, Alpine, surprise of II, 13.
- Passaro, battle, XI, 14.
- Paul, Emperor, XLVIII, 34.
- Peace of, &c. (see "Treaty of, &c.").
- Peace, profound, massacre during, XXIV, 20.
- — King's speeches as to French attacks during, XXIV, 21; XXXII, 25.
  - — XXX, 24; XCIV, 62.
  - — complaint of hostilities during, are commonplace diplomatic complaints, 10.
  - "the full security which peace inspires," Spanish manifesto, LI, 35.
  - what is peace? 10.
  - sudden and secret action during; views of Austria, Prussia, Russia, England, and France; compare LXVII, 47, with LXXXIV, 57. (See also generally "War without warning" and "Statesmen.")
- Peace and war, the old barriers between, 8; Mr. Kinglake on, 66.
- — borderland between, Canning's view of, 8 and 48, last paragraph.
- Peel, Sir Robert, on precedents for war without warning, LXXX, 54; and 11 (note).
- Petersburg, treaty of (see "Treaty"), XXVII, 22.
- Phillimore, Dr., LXXXV, 58.
- Piedmont, war without warning by (see "War without warning by Piedmont").
- war without warning by France, XXXVII, 27, XLVII, 33; CI, 70.
- Pitt, the elder, afterwards Lord Chatham, XXIX (b), 23.
- the younger, XLVIII, 34.
- Poland, secret treaty by, XXVII, 22.
- war without warning (see "War without warning by Poland").
  - war without warning against, by Russia, XIII, 16.
- Policemen must be called by English sentries, 10.
- Political motives leading to declaration before war, 4, B, 27.
- Pollock, Sir F., 10 (note); LXXXV, 58.
- Pomare, Queen, LXXXVI, 59.
- Pope, without warning during peace, slaughtered German army, v, 13.
- — attacked by England and Duke of Genoa, VI, 13. (See also "Rome.")

Port Egmont in Falkland Islands, xxx, 24.

Porto-Bello, xii, 15.

Portugal, war without warning by England and France, lxxv, lxxvi, 50; by Spain, lxviii, 48; lxix, 49; lxxx, 54. (For war without warning by, see "War without warning by Portugal.")

Postpone declaration, wish to, leading to unwarmed war, twelve cases, 5.

Pourtales, Count de, attacks Switzerland for Prussia, xcvi, 67.

Pragmatic sanction, how contracted, how kept, xv, 16.

Precautions, ordinary, on the Continent, not possible in England, 10.

Precedents, number of, in 18th and 19th centuries, 7, 8.

— Lord Palmerston and Sir Robert Peel on, 54, 55, and 11 (note).

President Monroe (see "Monroe").

"President," the, American frigate, during peace attacks "Little Belt," lxi, 44.

Progress, tendency of, to make cases of sudden war more frequent, 8.

Profound peace (see "Peace").

Prussia, for seven weeks of peace, prepares attack on Austria, and attacks her without warning, after signing pragmatic sanction, xv, 16.

— again attacks Austria without warning, xxii, 19.

— invades Saxony without warning, xxvii, 22.

— attacks England when in alliance without warning, lii, 37.

— seizes Cracow without warning, lxxxi, 55.

— attacks Denmark without warning, xci, 60.

— unofficial war against Switzerland without warning, xcvi, 68.

— attacks Denmark without warning, ciii, 73.

— secret treaty with England, Austria, Russia; accepts Baron Brunnow's view of right of sudden and secret action during peace, lxxxiv, 57.

— secret treaty against, xxvii, 22.

— attacked without warning by Napoleon, liii, 38.

Public opinion of two countries directly at issue, as cause of sudden war, 7; xciv, 61; cii, 70.

RAMPON, General, xliii, 31.

Recall of ambassador (see "Ambassador").

Regard, to individual life on Continent, little, 10.

Result, the, of present investigation, 4.

Richery, Admiral, xli, 29.

Rifles, loaded, carried in peace by foreign sentries, 10.

Roebuck, Mr., supports Lord Palmerston in war without warning, xliv, 68.

Rodil, Spanish General, surprises Portuguese, lxxx, 54.

Rome under Pope coerced by England during peace, vi, 13; xxi, 19.

— war without warning by France, xl, 29; xliii, 31 lxxviii, 52.

— by Italy, cvi, 76.

— massacres German army during peace, v, 13.

— (Republic) attacked by its friend France because it will not receive French help, xciii, 60.

Rooke, Sir George, i, 12.

Rowley, Commodore, xviii, 18.

Rubi, Marquis of, x, 14.

Russell, Lord, on the sudden war threatened by France from 1862 to 1870, d, 78.

Russia moves against Charles XII without warning, i, 12.

— invades Poland without warning, xiii, 16.

— signs pragmatic sanction, does not assist Maria Theresa, xv, 16.

— secret treaty by, xxvii, 22.

— attacks Turkey without warning, liv, 39.

— secret treaty with Napoleon to divide the world, lvii, 40, and Preface.

— half at war with England, lix, 43.

— semi-official war with Greece, lxxiv, 50.

— secret treaty with England, Austria, Prussia, lxxxiv, 57. (See also "Brunnow" and "Crimean war.")

Several cases of war without warning against Turkey by Russia have not been given.

SAN FERNANDO, lviii, 42.

Sangro, Duke of, xlvi, 32.

Saumarez, Sir James de, lix, 43.

Sardinia (see "Piedmont").

Savoy, war without warning by Poles from Switzerland, lxxix, 53.

Sawyer, Rear-Admiral, lxiii, 45.

Saxony attacked by Frederick, xxii, 19; xxvii, 22.

— with Poland invests Riga by surprise during peace, i, 12.

Sebastiani, General, liv, 38.

Secret treaty (see "Treaty").

Secure advantage by surprise, attempt to, forty-one cases of, leading to unwarmed war, 5.

Sentries in England must call policemen, even when over Her Majesty's palaces, 10.

— on Continent carry loaded rifles, and use them, 10.

Seven years' war, xxvii, 22.

Seville, treaty of, xii, 15.

Seward, Mr., saves a war, cii, 72.

Schawenbourg, General, xliii, 31.

Schleswig-Holstein, xci, 60.

Sinope, xcvi, 65.

Sismondi, xlii, 30.

Slidell and Mason, cii, 70.

Spain, war without warning against England, xii, 15; xxx, 24.

— — by England, xxxii, 25 (note); during peace Spanish fleet destroyed by Byng, xi, 14.

— — against Portugal, lxviii, 48; lxix, 49.

— — by Portugal, lxiv (2), 46.

— signs pragmatic sanction in support of Maria Theresa, and then attacks her, xv, 16.

— by surprise, seizes during peace Cagliari and Sardinia, x, 14.

— — Messina and Sicily, xi, 14.

— — attacks Austria, xiii, 16.

— seized during peace by Napoleon, lviii, 41.

— attacked during peace by France, lxvii, 47.

— secret treaty by, against England, xxix (b), 23; xli, 29.

Spanish succession war, case of surprise previous to, ii, 12.

St. Eustacia, xxxiii, 26.

St. Jean d'Acre, lxxxiv, 58.

St. Philip's Minorca, xxvi, 22.

St. Vincent, Lord, instructions to, to seize Portuguese fleet during peace, Preface, p. viii (note).

Stanhope, Lord, orders destruction during peace of Russian fleet, 15 (note).

Stanislaus, xiii, 16.

States General (see "Holland").

Statesmen, misunderstandings of, as to warning of war, 6.

— modern, view of, as to period within which precedents of sudden war are applicable, 7.

— — as to sudden action during peace, 7, 8. (See also "Canning.")

— alphabetical list of—

Benedetti, Count, D, 76.

Bismark, Prince, ciii, 74; D, 77.

Bourdonnaye, M. de, lxvii, 47.

Brunnow, Baron, lxxxv, 57.

Canning, Rt. Hon. G., lxviii, and Preface (note).

Canning, Sir Stratford, lxxxvi, 55.

Cavour, Count, 11.

Clarendon, Lord, xcvi, 65.

Clive, Lord, xxviii, 22.

Drouyn de Lhuys, xciv, 63.

Fish, Secretary of State for United States, 79 (note).

Fox, xxv, 21.

Fox, li, 37.

Gladstone, Rt. Hon. W. E., c, 70; xcvi, 67.

Grammont, Duc de, D 77.

Granville, Lord, 78 (last par).

Lahitte, General, Minister for Foreign Affairs, xciv, 63.

Laurence, Dr., M.P., li, 36.

Laurens, President of Congress, xxxiii, 26.

Lincoln, President of United States, cii, 72.

Lowell, James R., cii, 73.

Monroe, President, U.S., lxv, 46.

Monteallegre, Duke of, xviii, 18.

Motley, United States ambassador, 79 (note).

Newcastle, Duke of, xxv, 21.

Nicoll, Sir John, Advocate-General, li, 36.

Palmerston, Lord, lxxv, 50; lxxx, 54; lxxxiv, 57; xciv, 62; xcvi, 66.

Peel, Sir Robert, lxxx, 54; 11 (note).

Roebuck, M.P., xlv, 63.

Russell, Lord, D, 78.

Sangro, Duke of, xlvi, 32.

Sebastiani, General, ambassador, liv, 38.

Seward, Secretary of State for United States, cii, 72.

Stanhope, Lord, 15 (note).

Thiers, Minister of Foreign Affairs, lxxxiv, 58.

Villèle, M. de, Minister of Foreign Affairs, lxvii, 47.

Stopford, Sir Robert, lxxxiv, 56; lxxxv, 58.

Sudden action during peace (see "War without warning" and "Statesmen").

Surprise, sanctioned by United States, 9.

— due to misunderstanding of statesmen, 6.

— to anticipate surprise, cases of, leading to unwarmed war, 5.

— forty-one cases of war without warning to secure advantage by, 5.

— before war, each of Great Powers has frequently undertaken, 4.

— of Dutch fortresses by Louis XIV during profound peace, ii, 12.

— capture by, of fortresses (see "Forts and fortresses").

— the bounden duty of a French minister prior to war, lxvii, 47. (See also "War without warning.")

Sweden, attacked by Russia, Saxony, Poland, without warning, i, 12.

— signs pragmatic sanction, does not assist Maria Theresa, xv, 16.

Switzerland, war without warning by France, xxxviii, 28; xliii, 30; i, 35.

Switzerland, war without warning by Prussia, xcvi, 67.

— neutralised condition has not saved, 67.

— hostilities very frequent in, 67.

TAHITI, lxxxvi, 59.

Temple, Mr., then minister at Naples, lxxxv, 58.

Tendency of progress to make cases of sudden war more frequent, 8.

Territories (see "Armies attacked and territories seized before declaration").

Texas, how annexed by United States, lxxxii, 55.

Thiers, M., intends sudden war on England, LXXXIV, 58, 6.  
 — as historian, XXXVII, 28.  
 Tilsit, see Treaty of.  
 Travendahl, treaty of (see "Treaty").  
 Treaty of Travendahl secured by surprise, I, 12.  
 — London (1700), how broken without warning by seizure of fortresses, II, 12.  
 — secret, between Spain and Germany, leads without warning to war, XII, 15.  
 — Hanover, between France, Prussia, England, XII, 15.  
 — Seville, XII, 15; how broken before declaration, XIV, 16.  
 — England with Dutch, how broken by them, XIV, 16.  
 — pragmatic sanction, by whom made, how violated, XV, 17.  
 — Breslau, how violated, XXII, 19.  
 — secret, between Prussia and France, against Breslau, XXII, 19.  
 — Aix-la-Chapelle, how disregarded, XXIV, 20; XXV, XXVI, 21.  
 — Dresden, how soon followed by secret treaty of Petersburg, for violation of former, XXVII, 22.  
 — secret, between France and Spain, against England, XXIX (b), 23.  
 — — France with Franklin against England, XXXII, 24.  
 — — Holland against England, XXXIII, 25.  
 — over coffin of Frederick the Great, why not kept, LII, 37.  
 — secret, of Tilsit (between Napoleon and Tzar, alone on raft on Niemen, to seize fleets of Portugal, Sweden, and Denmark, Denmark being absolutely innocent), becomes cause of our attack on Denmark, LVII, 40; and Preface.  
 — Fontainebleau between Napoleon and Spain, how used by Napoleon to seize Spain, LVIII, 41.  
 — secret, between England, Russia, Austria, Prussia, LXXXIV, 57.  
 — convention of, Gastein, how used, CIII, 74; how dealt with, CIV, 74.  
 — secret, for spoliation of Belgium (1862-1870), D, 77.  
 Triumvirate, Roman, XCIII, 61.  
 Turkey, Crimean war, XCVII, 64.  
 — seizes Morea from Venice without warning, VII, 14.  
 — war without warning by Austria, XXXV, 26.  
 — — France, XLV, 32,  
 — — England and Russia, LIV, 39.  
 ULTIMATUM, not understood as such, cases of, 6.  
 — treated as declaration, LIII, 38; LXXVII, 51; LXXXVII, 59.  
 United States, importance of their view because of written constitution, 9.

United States, reservation to Congress of right to declare war, 9.  
 — formally sanction surprise, 9.  
 — and England only, peace reigns in, 10.  
 — order war against English frigate "Guerrière"; by mistake attack "Little Belt," LXI, 44.  
 — gain a month's start of England in war, by embargo on all ships, LXIII, 45.  
 — attack Spain without warning, LXV, 46.  
 — without "war," acquire Texas, LXXXII, 55.  
 — unofficial war against Canada, LXXXIII, 56.  
 — unanimity of European opinion in 1861 has no effect on, 71.  
 — war, unofficial. (See also LXXXVIII, 59; XCV, XCVI, 64.)  
 Usage, established, as to declaration before war, none, 4.

VALERIEN, Mont, a fort, comparison with citadel and western heights, 11.  
 Variety of circumstances leading to war without warning almost infinite, 5.  
 Vaudreuil, Marquis de, XXV, 21.  
 Venice, war without warning by Austria and France, XLII, 30.  
 — without warning loses Morea, VII, 14.  
 Verden, VIII, 14.  
 Victor, XLVII, 33.  
 Victor Emmanuel on unofficial war, C, 69.  
 Villèle, M. de, LXVII, 47.  
 — his support of sudden war, not in his view an approval of wrong, 11.

WAGER, Admiral, XII, 15.  
 Washington, General, XXIV, 20.  
 — — XXXII, 24.  
 War, declaration of, before war, due to political motives, 4; B, 27.  
 — — less than ten in 171 years, 4.  
 — — no usage on subject, 4. (See also "Declaration.")  
 — — because no chance of surprise 4; LI, 35.  
 War and peace, borderland between, Canning's view of, 8; LXVIII, 48.  
 — — the old barriers between, 8; XCVII, 66.  
 — to make, without declaring common object, CIII, 74.  
 — with warning, cases of, and motives for, A, 15; B, 27; C, 28; D, 76. (See also 4.)  
 War, unofficial, by England, XXIV, 20; XXVIII, 22; XXXIV, 26 (note); LXXX, 53; XCII, 60.  
 — — France, XXIV, 20.  
 — — Switzerland, LXXIX, 53.  
 — — United States, LXXXII, 55; LXXXIII, 56; XCV, XCVI, 64.  
 — — Prussia, XCVIII, 67.

- War, unofficial, by Piedmont, c, 69.
- War without warning, cases of, due to unannounced Colonial wars, cases cited, 5.
- — — — — forty-one cases of, due to attempt to seize advantage by surprise, 5.
- — — — — circumstances leading to, almost infinite, 5.
- — — — — comparatively valueless where country is at war already, 4.
- — — — — cases of, more numerous in 19th century than in 18th, 7, 8.
- — — — — by Garibaldi; approved by Cavour; sympathy with, in England, 11; c, 69.
- — — — — danger of, from direct issue between public opinion in two different countries as to nature of certain acts, 6, 7; xciv, 61; cii, 70.
- — — — — danger of, from misunderstandings as to movements of ambassadors, 6, 7; xciv, 61; d, 76, 79 (note).
- — — — — due to governments assailed not having been recognised, five cases, 6.
- — — — — due to miscellaneous causes, 5, 6.
- — — — — five cases of, due to auxiliary aid on opposite sides of a quarrel, 5.
- — — — — on neutrals, four cases due to progress of war with other powers, 5.
- — — — — nine cases of, due to wish to anticipate surprise, 5.
- — — — — opinions of modern statesmen on, 7, 8.
- — — — — Baron Brunnow's views on, 5; lxxxiv, 57.
- — — — — precedents for, quoted by Lord Palmerston, 7; lxxx, 53.
- — — — — Prussian attack on England, because Napoleon defeats Russia and Austria, 6; lli, 87.
- — — — — sanctioned by United States, 9.
- — — — — Sir Robert Peel's views on, 7; lxxx, 54; and 11 (note).
- — — — — sixteen cases of, due to "Federal execution," "Reprisals," "Unofficial war," "Pressure," or "Irregular raids," 5.
- — — — — twelve cases of, due to action of officers on spot, 5.
- — — — — twelve cases of, due to indifference, or desire to postpone declaration, 5.
- War without warning by—
- Austria, ii, iii, 13; xxxi, 24; xxxiv, xxxv, 26; xlii, 30; lii, 37; lxxiii, 50; lxxxi, 55; xcix, 68; ciii, 73; civ, 74.
- Denmark, xxx (a), 23.
- England, i, 12; iv, vi, 13; viii, 14; xi, xii, 15; xiv, 16; xvii, xviii, 18; xix, 19; xxiv, xxv, 20; xxix (b), 23; xxxii, 25 (note); xxxiii, 26; xxxix, 28; xlviii, 34; xlix, 35; li, 35; lii, 37; liv, 38; lv, lvi, 39; lxviii, 48; lxix, 49; lxx, 49; lxxv, 50; lxxx, 54; lxxxv, 58; lxxxix, 59; xciv, 61.
- France, ii, iv, 13; xiii, 16; xvi, 17; xvii, 18; xix, 19; xxiii, xxiv, xxv, 20; xxvi, 21; xxxii, 25; xxxvii, 27; xxxviii, 28; xl, 29; xlii, 30; xliii, 30; xliv, 31; xlv, 32; xlvii, 33; l, 35; lii, 37; liii, 38; lviii, 41; lxvii, 47; lxx, 49; lxxii, 49; lxxv, lxxvi, 50; lxxvii, 51; lxxviii, 52; lxxxvii, 59; xciii, 61; xcvi, 65; xcix, 68; ci, 70; cvi, 76.
- Holland, iv, 13; xxviii, 22.
- Naples, xlvi, 32; xlv (1), 45.
- Piedmont, x, 60.
- Poland, i, 12.
- Pope, vi, 13.
- Portugal, lxiv (2), 46.
- Prussia, xv, 16; xxii, 20; xxvii, 22; lii, 37; xci, 60; ciii, 73; civ, 74.
- Russia, i, 12; xiii, 16; xlviii, 34; liv, 38; lxx, lxxi, 49; lxxiv, 50; lxxx, 55; and in all cases of war against Turkey and other bordering Asiatic States.
- Saxony, i, 12.
- Spain, x, xi, 14; xiii, 16; xiv, 16; xxx, 24; xxxvi, 27; xli, 29; lxviii, 48; lxix, 49; lxxx, 53.
- Turkey, vii, 14; lxxi, 49.
- United States, lxi, lxiii, 44; lxv, lxvi, 46; lxxxii, 55.
- Warning of war, belief in, due to practice of ancient, not modern times, 8.
- — — — — comparatively valueless where country is at war, 4.
- — — — — Lord Palmerston's misunderstanding of withdrawal of ambassador as friendly act, when intended as warning, 6; xciv, 63.
- — — — — only one instance of, actually delivered at foreign court prior to hostilities, 9. (See also "Declaration.")
- Werther, Baron, d, 76.
- Westmoreland, Lord, on war without warning, li, 36.
- Wrangel, Field-Marshal von, ciii, 73.
- Wish to postpone declaration leading to unwarned war, twelve cases, 5.
- Withdrawal of ambassador (see "Ambassador").
- Western Heights, Dover, a fort, compared with Valerien, 11.
- Wording of declarations, 9.
- Wyse, Mr., English Minister at Athens, xciv, 62.
- "Yes at Copenhagen," xciv, 62.

**MILITARY BOOKS, published by Authority—continued.**

- STRETCHER-BEARERS AND BEARER COMPANIES:** Manual of Exercises for. Horse Guards, February, 1878. Price 1s. (*Out of print.*)
- GYMNASTIC EXERCISES, SYSTEM OF FENCING, AND EXERCISES FOR THE REGULATION CLUBS.** 1877. Reprinted 1882. In One Book. Price 2s.
- ENCAMPMENTS:** Regulations and Instructions for. 3rd April, 1877. Reprinted 1880. Price 6d. (*Out of print.*)
- VOLUNTEERS IN REGIMENTAL CAMPS, or WHEN ENCAMPED WITH THE REGULAR FORCES.** Orders and Instructions for. (1883.) Price 1d.
- MILITARY COOKS:** Instructions to, in the Preparation of Dinners at the Instructional Kitchen, Aldershot. 1878. Price 3d.
- MILITIA.** Regulations for. 1883. (Army Regns., Vol. 8.) Price 2s.
- MILITIA ORDERS,** 1878. Issued under the Authority of the Secretary of State for War. Price 6d.
- MILITIA (VOLUNTARY ENLISTMENT) ACT, 1875.** With an Introduction and Notes, by CHARLES M. CLODE, of the Inner Temple, Barrister-at-Law, and Solicitor to the War Department. Price 1s. 6d.
- THE PENETRATION OF IRON ARMOUR PLATES BY STEEL SHOT:** Report on various Experiments carried out under the Direction of the Ordnance Select Committee relative to. By Captain W. H. NOBLE, M.A., Royal Artillery, Associate Member Ordnance Select Committee. To which is added a Memorandum on the Penetration of Iron-clad Ships by Steel and other Projectiles. Foolscap folio, with Plans. Price 2s.
- BASHFORTH CHRONOGRAPH:** Report on Experiments with. (1870.) Price 1s.
- Do. Final do. do. (1878-80.) Price 2s. 3d.
- TEXT BOOK ON THE THEORY OF THE MOTION OF PROJECTILES:** The History, Properties, Manufacture, and Proof of Gunpowder; The History of Small Arms. For the use of Officers sent to the Schools of Musketry. Revised, March, 1880. Price 2s. 3d. Interleaved, 3s. (*Out of print.*)
- Do. do. Addenda to. Translated from the Aide-Mémoire à l'usage des Officiers d'Artillerie. (Quatrième Edition.) 1881. Price 6d.
- SCHOOL OF MUSKETRY AT HYTHE:** Report on the Instruction carried on at, and of the Progress of Musketry Instruction in the Army during the Year ending 31st March, 1882. Price 3s. 6d. Also,
- REPORTS FOR THE YEARS 1859 to 1861.** Price 1s. each.
- REPORTS FOR THE YEARS 1862 to 1881.** Price 2s. each.
- THE GENERAL ORDERS,** by His ROYAL HIGHNESS THE FIELD MARSHAL COMMANDING-IN-CHIEF, are published Monthly.
- Index to Do., 1874 to 1882. Price 4d.
- THE ARMY CIRCULARS** are published Monthly.
- Index to Do., 1867 to 1882. Price 4d.
- OPHTHALMIC MANUAL.** Manual of Instructions for Army Surgeons in testing the vision of Recruits, and in distinguishing the causes of defective visions in Soldiers. By Surgeon-General T. LONGMORE, C.B. Second Edition. 1875. Price 1s.
- TRANSPORT OF SICK AND WOUNDED TROOPS:** A Treatise on. By Surgeon-General T. LONGMORE, C.B., Honorary Surgeon to Her Majesty, &c. Illustrated by nearly 200 Woodcuts. Royal 8vo., cloth boards. Price 5s.
- PRICED VOCABULARY** of Stores used in Her Majesty's Service. War Office, Pall Mall, 1st October, 1882. Price 6s.
- AMMUNITION:** Treatise on. 3rd Edition. Corrected to November, 1881. Price 6s. 6d.
- AMMUNITION:** Notes on. 5th Edition. Corrected to February, 1881. Price 2s. 6d. in cloth boards.
- ORDNANCE IN THE BRITISH SERVICE:** Treatise on the Construction and Manufacture of. 1879. Price 9s. (*Out of print.*)
- ORDNANCE IN THE BRITISH SERVICE:** Abridged Treatise on the Construction and Manufacture of. Prepared in the Royal Gun Factory. July, 1877. Price 6s.
- ORDNANCE STORE DEPARTMENT.** Regulations for. War Office, 20th March, 1879. Army Regns., Vol. 4, Part 11.) Price 4s.
- OTTOMAN EMPIRE AND ITS TRIBUTARY STATES** (excepting EGYPT), with a Sketch of Greece. Compiled by Captain W. S. COOKE. With Maps, 1877. (*Sold by Clowes only.*) Price 9s. 6d.

# WORKS

PREPARED IN THE  
INTELLIGENCE BRANCH  
OF THE

## QUARTERMASTER-GENERAL'S DEPARTMENT, HORSE GUARDS.

- ARMED STRENGTH OF AUSTRIA.** By Captain W. S. Cooke, 22nd Foot. Part I. 10s. 6d.  
Part II. Price 11s. 6d.
- ARMED STRENGTH OF BELGIUM.** 1882. Price 2s.
- ARMED STRENGTH OF DENMARK.** By Captain W. S. Cooke, 22nd Regt. Price 8s.
- ARMED STRENGTH OF FRANCE.** By Major C. J. East, 57th Regt., D.A.Q.M.G. 1877. Price 7s. 6d.
- ARMED STRENGTH OF THE GERMAN EMPIRE.** Part I. Organization and Administration. With Map. By Captain F. C. H. CLARKE, R.A., D.A.Q.M.G. 1876. Price 8s. 6d.
- ARMED STRENGTH OF ITALY.** Translated from the German by Lieutenant W. A. H. HARE, R.E. 1876. Price 5s. 6d.
- ARMED STRENGTH OF THE NETHERLANDS.** By Captain F. C. H. CLARKE, R.A., D.A.Q.M.G. With Map. Price 4s.
- ARMED STRENGTH OF RUSSIA.** 1882. Price 12s.
- ARMED STRENGTH OF SPAIN.** With Map. 1883. Price 3s.
- ARMED STRENGTH OF SWEDEN AND NORWAY.** By Captain W. S. COOKE, 22nd Regt., D.A.Q.M.G. With Map. Price 8s. 6d.
- ARMED STRENGTH OF SWITZERLAND.** By Major FRANK S. RESSLE, 14th Hussars. 1880. Price 1s. 6d.
- ATTACK FORMATION FOR INFANTRY IN THE AUSTRIAN, FRENCH, GERMAN, AND ITALIAN ARMIES:** Outline of. 1881. Price 1s.
- CAVALRY.** Instructions for the Training, Employment, and Leading of. By Major-General CARL VON SCHMIDT. Compiled by Captain VON VOLLARD-BECKELBERG, 2nd Silesian Dragoon. Translated by Captain C. W. BOWDLER HELL, 8th Hussars. (1881.) Price 5s. 6d.
- CYPRUS.** Compiled by Captain A. R. Saville, 18th Foot. 1878. Price 2s. 6d.
- DENGHIL—TÉPÉ:** Siege and Assault of. General Skobelev's Report. Translated by Lieut. J. J. LEVERSON, R.E. 1881. Price 3s.
- EGYPT: MAP OF.** 4 Sheets. 1882. Price 4s.
- FRANCE: Military Reports, Addressed to the French War Minister** by Colonel Baron STOFFEL, French Military Attaché in Prussia, 1866—1870. Translated by Lieut.-Col. HORN, C.B., R.E. Royal Svo. Price 8s.
- FRANCO-GERMAN WAR, 1870-71.** Authorised Translation from the German Official Account by Major F. C. H. CLARKE, C.M.G., R.A.
- FIRST PART:—History of the War to the Downfall of the Empire.**  
Vol. I.:—Sections 1 to 5. From the Outbreak of Hostilities to the Battle of Gravelotte. With case of Maps and Plans. Price 26s.  
Vol. II.:—Sections 6 to 9. From the Battle of Gravelotte to the Downfall of the Empire. With case of Maps and Plans. Price 22s.
- SECOND PART:—History of the War against the Republic.**  
Vol. I.:—Secs. 10 to 13. From the Investment of Paris to the re-occupation of Orleans by the Germans, with case of Maps and Plans. Price 26s.  
Vol. II.:—Secs. 14 to 18. Events in Northern France from the end of November. In the North-west from the beginning of December. And the Siege of Paris from the commencement of December to the Armistice; the Operations in the South-east from the Middle of November to the Middle of January. (1883.) Price 26s. (In preparation.)
- Also separately, in paper covers:—*  
1st Section:—The Events in July. Plan. Price 8s.  
2nd Section:—Events to the Eve of the Battles of Wörth and Spicheren. 3rd edition, revised and corrected. 1882. 3 Plans. Price 8s.  
3rd Section:—The Battles of Wörth and Spicheren. 3rd edition, revised and corrected. 1882. 2 Plans and 3 Sketches. Price 5s.  
4th Section:—Advance of the Third Army to the Moselle, &c. Second Edition, revised and corrected. With 1 Plan and 7 Sketches. 4s.

**WORKS prepared in Intelligence Branch—continued.**

**Franco-German War, 1870-71—continued.**

5th Section:—Operations near Metz on 15th, 16th, and 17th August. Battle of Vionville—Mars-la-tour. 2nd edition, revised and corrected. 1881. 4 Plans and Sketches in the Text. Price 6s. 6d.

6th Section:—The Battle of Gravelotte—St. Privat. With 2 Plans and Sketches in Text. Price 5s.

7th Section:—Advance of Third Army and of the Army of the Meuse against the Army of Chalons. With 2 Plans, a general Map, and numerous Sketches. Price 6s.

8th Section:—The Battle of Sedan. With 2 Plans and 2 Sketches. Price 3s.

9th Section:—Proceedings on the German Coast and before the Fortresses in Alsace and Lorraine. Battle of Noisseville. General Review of the Franco-German War up to the commencement of September. With 3 Plans and 2 Sketches. Price 4s. 6d.

10th Section:—Investment of Paris. Capture of Toul and Strasburg. Price 6s.

11th Section:—Events before Paris and at other Points of the Theatre of War in Western France until the end of October. (1878.) Price 5s. 3d.

12th Section:—Last Engagements with the French Army of the Rhine. Occurrences after the Fall of Strasburg and Metz to the middle of November. (1878.) Price 4s. 6d.

13th Section:—Occurrences on the Theatre of War in Central France up to the re-occupation of Orleans by the Germans. (1880.) Price 6s.

14th Section:—Measures for the Investment of Paris up to the middle of December. (1880.) Price 4s.

15th Section:—Measures for protecting the Investment of Paris and Occurrences before the French Capital to the Commencement of the Year 1871. (1880.) Price 2s. 6d.

16th Section:—Proceedings of the Second Army from the Commencement of the Year 1871 until the Armistice. (1881.) Price 3s. 6d.

17th Section:—Proceedings of the First Army from the Commencement of the Year 1871 until the Armistice. (1882.) Price 3s.

18th Section:—Occurrences on the South-Eastern Theatre of War up to the Middle of January, 1881. Events before Paris from the commencement of the Year 1871 to the Armistice. (1883.) Price 8s.

**FRENCH ARMY: Reforms in. Part I.—The Law of Recruiting.** Translated by Colonel HOME, C.B., R.E. Royal 8vo., 104 pp., stiff paper cover. Price 1s. 6d.

Part II.—General Organization. Translated by Major C. B. BRACKENBURY, R.A. Price 2s.

**FRENCH ARMY, Re-organization of. Speech of the Duke D'AUDIFFRET-PASQUIER.** Price 1s.

**GERMANY: Campaign of 1866 in. Compiled by the Department of Military History of the Prussian Staff.** Translated into English by Colonel VON WRIGHT, Chief of the Staff, VIII. Prussian Corps, and Captain HENRY M. HOZIER, Assistant Controller. Price £1 1s., in one vol., royal 8vo., cloth boards, with a Portfolio of Plans.

**PRUSSIAN ARTILLERY: Extracts from the Drill Regulations for the, and from the Handbook for Prussian Artillery Officers.** Translated by Major FAIRFAX ELLIS, R.A. 1878. Price 10s.

**PRUSSIAN INFANTRY: Elementary Tactics of the.** Translated from the German, by Captain E. BARING, R.A. Authorised Edition. Royal 8vo., 60 pp., with Plans. 2s.

**RUSSIA: Regulations respecting Military Service in.** Price 2s. 6d.

**STAFF-GENERAL: The Duties of. By Major-General Bronsart VON SCHELLENDORF.** Translated from the German by Captain W. A. H. HARE, R.E. 1880. 2 Vols. Price 15s.

**STEPPE CAMPAIGNS: A Series of Lectures on.** Translated from the Russian. Price 2s.

**TACTICS: Précis of Modern. Compiled by Colonel Robert Home, C.B., R.E.** In royal 8vo., 44 pp., with 26 Plans. Cloth boards. (1882.) Price 8s. 6d.

**TRAINING OF TROOPS for Service in the Field, and for the Conduct of Peace Manœuvres, Regulations for.** Translated from the German, by Captain E. BARING, R.A. Royal 8vo., 84 pp., with Plans. Price 2s.

**WAR GAME: Rules for the Conduct of.** Compiled by Captain E. BARING, R.A. The Box of Men, &c., can be had for £6 6s., and 15 Maps, mounted and coloured, for £6. Royal 8vo., with Plans. Price 2s.

(Out of print.)

